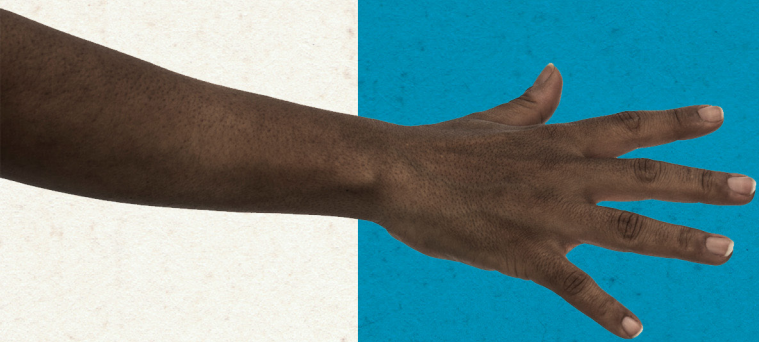


Separated ated



Separated Families:
**Unjust Deportations and the
Families Left Behind.**

A report by



We are mothers, wives, partners and daughters living at the sharp end of the UK's immigration policies.

Families for Justice is a group of mothers, wives, partners and daughters living at the sharp end of the UK's immigration policies.

All of our families have experienced some sort of separation due to the UK's cruel and unjust deportation laws.

We've been fighting back for our families, and have united as part of the Detention Action network so that we can better stand together.

Contents

Foreword [04]

Introduction [06]

01 The Impact and Experience of Separated Families Through Deportation: Case Studies [08]

02 The Impact on British Families and Children [20]

03 Findings [23]

04 Financial Impact on Families [26]

05 Policy Recommendations [28]

Foreword

The law that forms the bedrock of our current immigration systems was introduced in the 1960s with specific intent of controlling the movement of people of colour.

I am so proud and excited to be introducing this vital report by the incredible Families for Justice.

As Director of Detention Action, I have worked alongside the women of Families for Justice for the last two years. I have been consistently amazed and inspired by their strength and commitment to this fight.

The UK's current deportation laws are an affront to compassion and common sense. They were first introduced in 2007 as a knee jerk response to a political scandal, and they give no thought to the complexities of the real life cases they relate to.

As with much of the UK's immigration law, deportation policies are also built on decades of racism and xenophobia.

The law that forms the bedrock of our current immigration systems was introduced in the 1960s with specific intent of controlling the movement of people of colour.

Successive British Governments have continued ramping up anti-immigration policies – with the 'hostile environment'



by **Bella Sankey**
Director of Detention Action

now at its zenith in the UK.

Since then, Governments have consistently failed to heed warnings about deportation injustices. Ministers' folly was most famously reflected in the horrors of the Windrush Scandal, which saw elderly Caribbean residents of the UK ruthlessly pursued for deportation by the Home Office, often spending significant periods in immigration detention.

The Windrush Scandal shook this country to its core, but it is often the descendants of this generation that are now routinely pursued for deportation. Research released last year found evidence of people from Black-majority Commonwealth countries – like Jamaica and Nigeria – disproportionately pursued for deportation.

That's why I am so excited to introduce this ground breaking report. Families for Justice are the only network of their kind in the UK. They know better than anyone the impact of deportation on families and

children. Just as importantly, they have expertise across policy, social care and children's rights.

They are the voices we should all be listening to when we wonder how to build a better, fairer immigration system that centres the best interest of all children. So without further ado I will hand over to them. 🦋

Introduction

Families for Justice is a group of women - mums, wives, partners and daughters - living at the sharp end of the UK's immigration policies.

Currently, UK deportation law requires that any person with nationality of another country, who serves a prison sentence of 12 months or longer, will automatically be targeted for deportation. Every member of Families for Justice has a loved one who has fallen under this law. The law doesn't care if they have children and families here. It doesn't care if they've lived here since they were kids themselves. This law has made many of us into single parents, depriving our children of their fathers and leaving us financially and socially disadvantaged, with no additional support from the Government. We refuse to accept this. In this report, you will find evidence and accounts of the real impacts of this law on the families it affects.

We've written this report about unjust deportations after becoming unwilling experts on the issue. We've answered the phone at three AM to our partner, saying that the Home Office has taken him to the plane and he's calling to say goodbye. We've rushed across the country so our kids can have twenty minutes to say goodbye to their dad in the visitors room of a detention centre. We've spent sleepless nights worrying about our sons, waiting for the sound of an immigration officer knocking on the door - or even coming through the window - to take them away. In this report, you will find first-hand accounts of life under this law.

And through all of this we've been fighting. For our loved ones, for our families, for ourselves, for everyone targeted by this law.

In 2020 we united as part of the Detention Action network. Over the last two years, Families for Justice has become a source of strength and solidarity for all of us. A space where we can talk about what we're going through and know we won't be judged. A space where we can unite and fight, together.

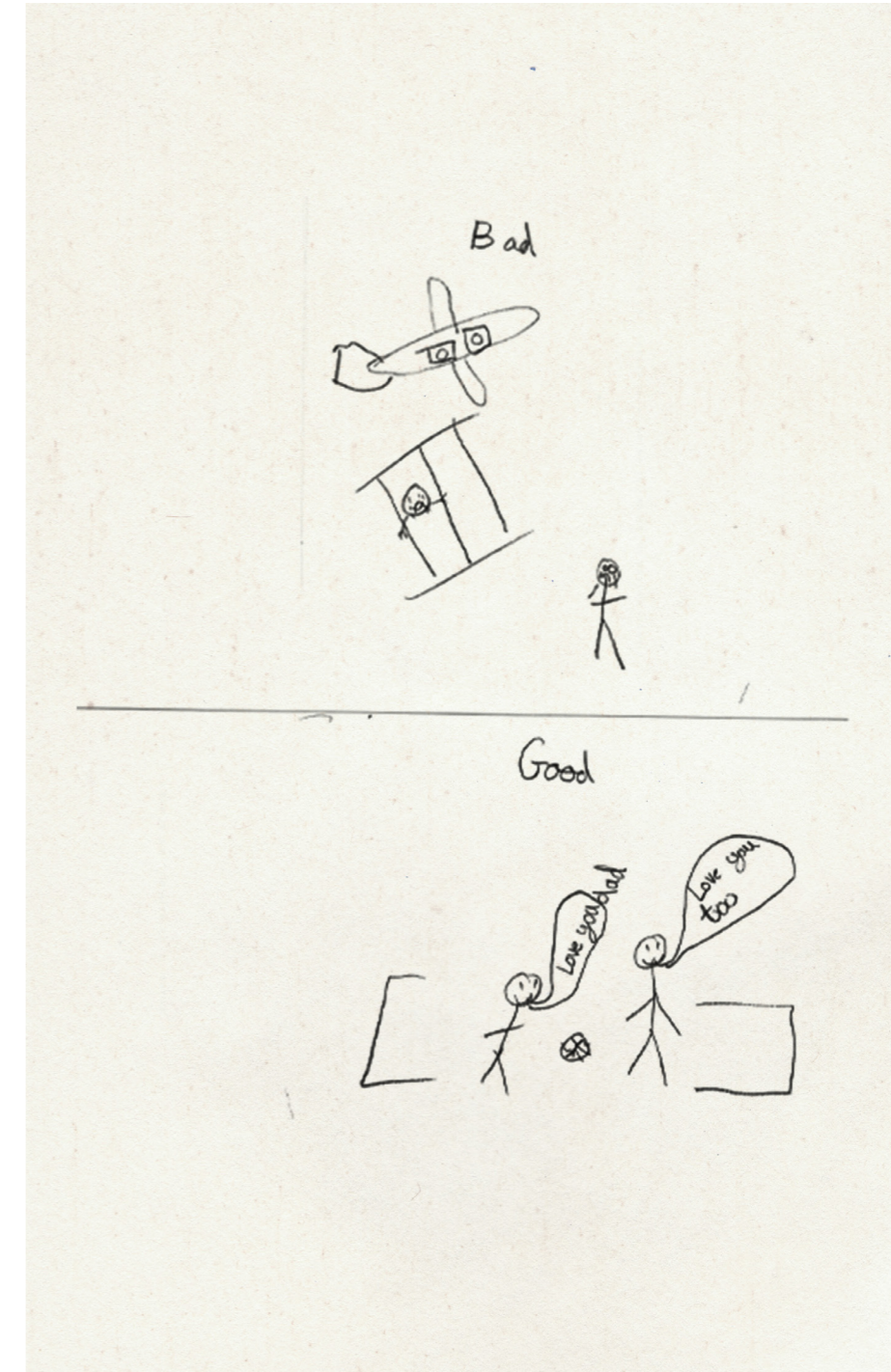
Now, we want to share our experiences and our work with you. We know this system. We know how and why it needs to change, and we've got the evidence to back us up.

This Government thinks it has the final say on deportation policy. They want you all to believe that their way is the only way to manage deportations. As people who have lived the impacts of unjust deportations first-hand, we can tell you unequivocally that there is a better way. In this report, we outline practical policy recommendations based on our experiences and the evidence available.

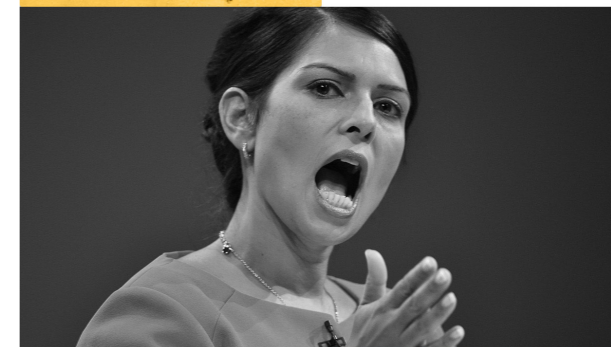
We can respect children's rights, respect people's homes, and keep families together.

Together, we can build a fairer future.

Thank you for joining us. 🌻



The Impact and Experience of Separated Families Through Deportation: Case Studies



Beverley

“That’s the whole crux of the hostile environment: you have to create a monster so that the public don’t say, “What is going on here?!”

I was married to Quinton in 1999 and we had our two children together. In 2005, we separated but we maintained an amicable and healthy relationship and co-parented our children. Quinton continued to visit the family home and took care of the children several times a week, stepping up when I needed to be away late or at work. We took regular holidays as a family.

It’s been a difficult few weeks. A couple of weeks ago, the day before my son’s birthday, it was the anniversary of the deportation flight that took the father of my children away. Around this time four years ago we lost a parent in our family of two parents to two young teenagers. Overnight, in one quick phone call, I became a single parent to Naomi and Saul.

I remember thinking, “What do you pack in a suitcase after 20 years, to prepare somebody to go somewhere he hasn’t been in all of those years?” When someone dies you don’t expect to say goodbye and it was similar to that when I heard he was getting deported by the Home Office. It was just a normal day. I felt numb for a while. It kind of felt like he was dead.

Quinton was still in denial. At something like three o’clock in the morning he rang me and said, “They have come to take me”. Five or six officers came into the room in the middle of the night, one in front and two at the side. They were handcuffed, they were shackled. It kind of reminded me of slavery to be honest, being crept on in the night and being taken in chains. I can’t imagine the experience of a Black man who goes through that experience, where he processes what happened back in the day to his own ancestors who were taken in the night and shipped off.

The other night my daughter had a nightmare. She said something had happened to her dad. My son, I think I’m still trying to understand where he’s at with it, because he’s 14 now and he keeps himself to himself. He spends a lot of time in his room, and I know teenagers do that, but I do worry about the impact it’s had on him and how he’s perceived by people who know him. Essentially, he’s in a “broken home” now. He’s

with a one parent family.

Last year, my son had his first experience of being stopped and searched. This is unfortunately likely to be his first steps in his journey as a young Black British man. It was almost like a “rite of passage” in this system as a Black British family. He said to me, “I thought they were going to put handcuffs on me”, and he said, “I asked if I could call you and they said no”. For me, when I looked into his eyes and I saw that sadness, it’s moments like that in particular. If he were able to come home and speak to his dad about it, his dad would have said to him, “These are the things that you might feel, son”. You know that’s just one example of very many where I feel, essentially, we’re going to be short-changed.

My daughter also described how she blamed herself or blamed others. Leading up to her GCSEs she was getting worried, as young people would, and she described missing how her father would tell her, “I know you’re going to get this”. To not have him here to say this took a toll on my daughter and she suffered from panic attacks during that time.

There is no consideration for the impact of a child. You just can’t raise your children via FaceTime. It always felt like there was a battle with this hostile environment that the Home Office has created. The Home Office tried to portray him as someone who doesn’t have a relationship with his children. There was no kind of empathy at all. I see a link between the way the Home Office dealt with the immigration in relation to the Windrush. Ultimately, it comes down to systemic racism. We’re only here for a purpose. You need to make sure that you don’t make any mistakes because, any mistake you make, you can be sure there’ll be a reason to put you back on the plane and send you “home”. The headlines were “29 Foreign Jamaican Criminals” who were not worthy of being amongst people and that’s the whole

crux of the hostile environment: you have to create a monster so that the public don’t say, “What is going on here?!”

The hostile reporting and media narrative doesn’t consider the impact on my children’s identities and lives. The stigma attached to deportations and the highly publicised and negative coverage of “foreign criminals” tested our feelings of dignity. There so many challenges to talking openly about our loss. Regardless of what happened, there is always the question of, “But what did he do?” It has felt like we are also being indirectly blamed by the Home Office. The guilt and dehumanisation of people and families in this situation, it doubles the punishment for the person deported and creates a third punishment for the families involved.

There are so many barriers put up in terms of accessibility. Families who might have ongoing immigration status issues feel cautious about visiting family in detention centres because of worries around vetting. The shame attached to the processes means there is a poor likelihood of them speaking up. We are always aware of how the media will focus on the “deserving” and “undeserving”. The stigma is ever present in national news. Even three years later pictures of Quinton are shown in the national news, here and in Jamaica. Where is the right to a private life and privacy? Why is it normalised that the public become privy to intimate details of our trauma? The trauma is continual. Each time a deportation is highly publicised we are re-traumatised and brought right back to that day four years ago. 🦋

Emily

“Since the deportation, money is really tight. I used to work full time on a decent salary. Now I am classed as a single parent with four dependants to look after.”

My husband and I have four kids together and have been married for more than twenty years. In February 2020, he was deported to Jamaica.

When we were fighting the deportation by the Home Office, our solicitors made a big effort to advise that we had children who would be negatively impacted by my husband’s deportation. But when we got to court it seemed like the Home Office Barrister and the Judge couldn’t have been less interested in my kids and their wellbeing. It was like they didn’t exist. This came after years of mental torture from the Home Office, with the dreadful threat of deportation hanging over our heads.

Other than Families for Justice, my kids and I have had no support. It’s difficult to talk to family and friends who haven’t experienced this. I often feel like they don’t get it or they’re judging us because of the things they’ve seen on the news. We’ve also had no extra support from the Government. It amazes me that my British children have had their dad permanently ripped away from them, through no fault of their own, and no one has even bothered to call and ask how they’re managing.

Since the deportation, money is really tight. I used to work full time on a decent salary. Now I am classed as a single parent with four dependants to look after, with no help with childcare. I have been left in a desperate state of government dependency and I have to send money out to my husband, who is unable to work in Jamaica due to the stigma created by this Government’s statements about the people they are deporting.

I have looked for work but it’s very difficult to find jobs that fit my needs. I can’t afford any childcare. I have to pick the little ones up from school, be available when they’re sick and be around on the evenings and weekends to look after them. This makes it pretty much impossible to accept any jobs that come my way.

I have to rely on food banks sometimes and the food vouchers that are given by the school. My children have been through a world of pain losing their dad, but I can’t treat them and take them out to meals, I can’t afford to buy them new clothes or shoes. I have little to no hope that things will change in the foreseeable future, and

now the Government are saying things like, “children on free school meals are falling behind those who aren’t”. It makes me feel like I am failing my children. This is not my fault, I haven’t made any of this happen but I am the one trying to pick up the pieces and keep myself going, no matter how I feel on a day to day basis.

My biggest fear now that my husband has been deported is that something bad will happen to me. Every day I fear that I will get hurt, that I will get injured or that the doctor will tell me something is wrong and I won’t be able to look after my children. I spend sleepless nights thinking about them being at the mercy of not-so-helpful family or social services, or my eldest having to take responsibility for them, aged just 18.

Things would be so much easier if my husband was here. I know what people say about these cases but, whatever you believe, he’d done his time. People who were in prison with him are back with their loved ones now rehabilitating. My husband wanted the same chance and was so determined to get his life back. We were even talking about opening up a charity to help offenders rehabilitate.

But just because he’s Jamaican, he can’t have that? Just because my kids are mixed race, their dad is lost to them forever?

My children now have a missing link to their heritage and to their history, I’m worried it will impact their sense of identity. My sons don’t have their dad to guide them as they grow into young men. They are very shy now, especially the oldest.

My dad wasn’t in my life, that’s one of the reasons I’m fighting so hard to get my husband back. I never wanted my children to go through what I went through, but now they are. They know know their Dad loves them very much, but my heart breaks every time I see a Youtube or Social media post with a child playing with their Dad. I have no idea when or if my kids will see their dad again.

I won’t ever stop fighting for my husband and my family, but I just don’t understand why the Government of my own country and my children’s country would do this to us in the first place. 🌸



Jarmila

“Sometimes Kaye thinks he sees his dad, even though he is not there.”

Since the Home Office deported my partner, Ruben, in 2019, I have felt hopeless and helpless. As I was going through the most emotional time of my life, I started suffering from depression. This is when Families for Justice came in to our lives and showed me some light. Without their help I don't think I would be in a hopeful place.

My partners exit from our lives has had a very negative impact on myself and my two boys. This impact is still here to this day, as my sons are missing their father being in their life, physically, on a daily basis.

My five-year-old son has become very isolated and unsociable. He asks about his father every day and I have now run out of answers. My 14-year-old boy, Jonah, has become emotionally distracted and isolated. He used to make friends easily and was a very sociable young boy and this has since changed.

My younger son, Kaye, aged 4, has become very anxious when I leave for work and at times I have to distract him so I can leave the house. Kaye no longer feels comfortable talking to new people and keeps a distance from others as though he is afraid to get too attached. He is struggling to understand why this has happened to us as a family and he sometimes believes his father abandoned him for another family. Sometimes Kaye thinks he sees his dad, even though he is not there.

I really worry for my children and the emotional impact this has had on them. I feel helpless when they are feeling angry or confused about the situation that they have been put in through the unfair deportation of their dad, who had always been in their lives.

I myself cannot do what their father used to do when he was here. They miss all the activities which they used to do together. Both my sons love their father so much that they don't understand why all this has happened. I'm in a very difficult situation of having to be their mum and dad at the same time. I am trying my best to be both but they still need their dad in their lives as they are growing up.

I feel the way deportation works is unfair as it not only takes away a parent but is also breaking up a family and pushing innocent children into unhealthy circumstances. There should be consideration when it comes to someone like my partner Ruben, who has a disability and has a family with young children who miss him immensely.

Ruben is suffering in Jamaica. He isn't getting the right support and facilities. He is missing his family and is heartbroken. He needs us and we need him. Life isn't the same for any of us. 🌸



Kemi

“It’s a crushing and psychologically damaging experience that traumatises the most vulnerable. Their scars are sometimes masked by their silence.”

I moved to the UK with my son when he was four. I had never thought I would find myself or my son in this situation of being deported by the Home Office. My son, Nayo, has recently had his deportation order revoked. However, it was not without a lot of worry and stress. Nayo has a diagnosed development disability and from the beginning of this process my son was neglected and mistreated. Starting with the police investigation that led to my son’s arrest and conviction, then the prison sentence and the detainment, it all had considerable health impacts on my son. Both his physical and mental health have been affected throughout this process. My son is no longer himself and although we have successfully beaten his deportation the remnants of the stress still remain.

The threat of deportation affected us and it is such common knowledge that on every level the children are traumatised, either by seeing their parents ripped away from them or being at risk themselves by deportation. My mind’s eye conjures an image of children watching the ships go out carrying their parents, using the bodies of young black men and women as slaves. It’s a crushing and psychologically damaging experience that traumatises the most vulnerable. Their scars are sometimes masked by their silence.

This experience is so insensitive. In law and policy, there are provisions to deal with these situations in a humane way which are not being engaged with or implemented. One can only think and, ultimately, believe that, like their parents, the children are viewed as objects and not human souls!

The threat of deportation has challenged my family’s wellbeing. My goodness, it’s certainly damaged my health in numerous ways. It put strain on relationships, polarised the children so that they too did not know how to support or even respond to the situation. They were numb, not believing what was happening or how it would affect them and how they could support their younger brother.

This is the sad reality, that deportation destroys families, causes permanent

estrangements, and fractures the stability of families. People are left after deportation to either wallow for the rest of their lives or in some sad ways to break some ties and make new ones. Regardless of whether individuals remain single parents, shouldering the burden of looking after their children, or forming new relationships, there will always be psychological, spiritual and emotional fallout at every level and for both adults and children. The damage is unquantifiable!

Trying to fund and find the legal costs for fighting a deportation was very challenging and painful. I wasn’t working at the time. I’m a trained nurse but because of ill health I was unable to work. There was no support from the local council. The saving grace was the generous support from people I had never met, people who were moved by the irrational and brutish treatment of vulnerable people by the Home Office. These people sacrificed and supported our campaign: they supported both financially and emotionally. The support lessened the pain and was the catalyst for the victory. I am forever eternally grateful! However, the protection of young men and the responsibility of care, especially for those with development disabilities, should not fall on well-meaning and sympathising supporters, but should be considered good practice by statutory and government care services.

I was saved from the dreadful scenario of seeing my son deported and now I can only imagine the nightmare that those victims are going through, especially as many people must be doing this thing alone. Some people will be driven

by the awful situation to compromise themselves in order to survive.

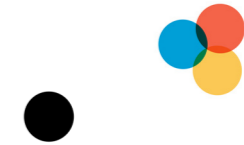
There is also a lack of resources when victims have landed in Jamaica with no suitable place to live. The discrimination they face and are treated themselves, as a foreigner in Jamaica. For returning Jamaicans to be classed by the natives as “foreigners” is not only a negative term but it opens them up to abuse, discrimination and even death.

It’s very sad to know that the Home Secretary is from a migrant family herself, having it in her power to intervene in situations where vulnerable mothers will be at the brunt of this suffering, but instead choosing to be blunt and insensitive and to wield excessive power.

Neither Nayo or myself were offered relief or support after what we went through. We have never been offered support or resources from government officials or care professionals. No services have been made available to help deal with the trauma of the decision and process. Nor was any information or explanations provided to help us understand our situation. The truth is, I am not in a position to refuse support and would have welcomed any intervention that would prevent the negative impacts on the health of my son and myself.

We have had massive social media support, good people concerned up and down the country coming out on the streets, marching and supporting the campaign. Both political and media support was phenomenal. Friends were indispensable. I dread to imagine what my lot would have been if I had just curled up and died inside! 🌸

Maxine



“In every other area, kids’ happiness and wellbeing is the primary concern, but if a child’s dad is an immigrant it seems to mean that none of that matters anymore.”

My partner and I have been together for two years and have been so happy.

When he called me from prison to say the Home Office wanted to deport him, it was such a shock. He did wrong; he’s never tried to deny that. But he has been working so hard on himself to get his life back on track. Now it feels like our future has just been snatched away from us.

My partner lived with me and my kids and became a father figure to them. Him being threatened with deportation has had a huge impact on them, emotionally and physically. My kids are very sad and anxious at the moment, they don’t understand why this is happening. I can’t understand why children’s feelings and wishes don’t play a bigger part in the process. In every other area, kids’ happiness and wellbeing is the primary concern, but if a child’s dad is an immigrant it seems to mean that none of that matters anymore. My partner has his own kids in the UK too. It’s disgraceful the hoops he had to jump through to prove to the Home Office that he’s their dad. They ask for so much evidence, even though it sounds like they ignore it all in court anyway.

The burden on me has been huge throughout this process. I have felt really alone and isolated by this situation. Who am I supposed to turn to? What do I do? My mental health has deteriorated a lot. I feel the impacts on my self-esteem and anxiety when I spend all day thinking about how I would cope without him. I’m also incredibly fearful for him as he fled his home country as a refugee and could be in serious danger if he’s deported. On top of all this, I have to care for my kids too. They are asking what’s happening but honestly the deportation process is like a maze, I barely understand it myself. I’m trying to stay strong for them but inside I just want to break down and crumble. Trying to explain something to kids that you don’t even understand, trying to look after them in the situation when your heart is breaking too, is mentally challenging and exhausting.

Money has also been a huge worry. There’s basically no funding available for his case, so it’s going to cost us thousands. How can we possibly afford that right now? I have four kids to support and I’m worrying all the time about the cost of living going up as it

is. There should be more support for this so that families at least get a fair fight.

I worry a lot about what will happen if he gets deported. I’ve seen a family member go through this and it was horrendous. It impacted her whole life, she was desperately trying to support her partner who had been deported and then social services started threatening to take her kids.

But my biggest fear will always be for my kids. They have got to know my partner and love him as a father figure, and now Home Office has taken him away. How will it impact them if he’s deported? And what if something then happens to me? I feel all alone and I worry at night about them being taken into care. I can’t imagine who can support us. Except Families for Justice, I feel like everyone we’ve come into contact with has just treated me and my partner like we don’t belong together and kicked us when we’re down. I believe in our rights to a family life and for people being given that chance and won’t give up on our fight for a being a family together in the UK. 🇬🇧

The Impact on British Families and Children

Mental Health and Safeguarding

The central concerns raised in this report have focused on the children of those unjustly deported by the Home Office and the impacts on their mental health and development and these have been reflected in the testimony shared by mothers and members of FFJ about the trauma, emotional impact and changes in behaviour among their children. It is clear from this evidence that unjust and poorly-considered deportation decisions by the Home Office, occurring within a wider system of racial injustice and barriers to legal support, have had a real impact on the children who are separated from a parent under this legislation.

The first-hand experiences shared in this report convey the anxiety, the change in attachment, the excessive worry and other effects experienced by children caught up in the deportation process.

In the course of their work over the last two years, Families for Justice have sought advice and contributions from issue experts and those working within statutory services. In 2021, FFJ intervened in a legal case appealing a deportation on the basis of the best interests of the children involved. These contributions and the evidence given in that legal case demonstrate many of the negative mental health impacts of unjust deportation on children that are broadly representative.

‘Working Together to Safeguard Children’, statutory guidance on inter-agency working acknowledges that consideration of the children’s views should be taken when making decisions on their ‘best interests’ and on appropriate safeguarding.

“Children are clear about what they want from an effective safeguarding system. These asks from children should guide the behaviour of practitioners.”

(Department for Education, 2015)¹

However, such considerations or processes are absent from the Home Office’s actions in deportation cases relating to FFJ members. This means that the Home Office has failed to consider their own guidance to ensure understanding or assessment of the impacts and risk posed to the children who the deportation decision will affect directly.

Dr Anoushka Khan, a Clinical Psychologist working in the Specialist Trauma and Maltreatment Service (STAMS) at Anna Freud National Centre for Children and Families, assessed the understanding, insight and acknowledgement from two of the children in the network in respect of the deportation of their father. It was stated by Dr Khan during her assessment that:

“at no point did the court or anyone try to approach the child to help them understand what was happening and how they might share their views about the deportation”.

The child being interviewed by Dr Khan believed that *“if someone had supported her to understand the situation, the outcome may have been different”*.

She said, *“the one thing I regret about the whole situation is not being told to the full extent about the meaning of everything. I would have loved to have gone to the court. I would have loved to have tried to persuade the judge that it will affect me and it will change my life”*.

These experiences are not unique. A second report was authored and assessed by Dr Alison Foster, a Consultant Clinical Psychologist working for Tees, Esk and Wear NHS Foundation, under instruction from Families for Justice. In her interview with two siblings she reported that one of the children *“thinks his father has not been treated fairly. He said that nobody asked him how he felt about his dad leaving”*. Dr Foster goes on to describe how not knowing and not being involved in the process meant the children described being upset when asked *“why it has happened”*, because no one told them. The children stated that *“life is different... worse without (their father)”*.

In this report we again refer to the government guidance on *“Working Together to Safeguard Children”* highlights that children need to be included and informed of big family changing decisions.

There is a duty of care and safeguarding that guides this:

“• Stability: to be able to develop an ongoing stable relationship of trust with those helping them

• Information and engagement: to be informed about and involved in procedures, decisions, concerns and plans

• Explanation: to be informed of the outcome of assessments and decisions and reasons when their views have not met with a positive response

• Support: to be provided with support in their own right as well as a member of their family”

(Department of Education, 2015)

Whilst it could be thought that denying children access to the details and discussions of deportation is in their best interests, it is clear from the experience of FFJ members and the findings of the experts cited that the lack of information about the deportation of a loved parent has had considerable and potentially long-lasting mental health impacts on children.

In her interviews with children affected by unjust deportations, Dr Khan completed RCADS² for difficulties related to social phobia, generalised anxiety, panic, obsessive compulsive disorder and low mood. The scores were all above the borderline threshold (top 7%). Completion of the Mood and Feelings Questionnaire (MFQ)³, a screening measure for symptoms of depression, indicated difficulties related to low mood and depression.

The Child PTSD Symptom Scale (CPSS)⁴ is a measure of post-traumatic stress symptoms, including re-experiencing (i.e. flashbacks), avoidance and hyperarousal. The measure was completed by Dr Khan on a child’s experience of their father being in the detention centre, as one of their most distressing events. In relation to this distressing event the child’s total

score was in the 'severe' range, with a high level of functional impairment. Dr Khan summarised that "these scores are extremely concerning and placed them in a very high risk category in relation to their mental health". Dr Khan concluded that the child had suffered significant trauma, without any support from adult professionals to help them process the trauma. This lack of support makes the impact of the traumatic experiences more significant and profound.


Dr Foster also completed the RCADS with the two children she assessed and the scores reflected similar scores on the Panic and Depression scale indicating that they would meet the clinical threshold for diagnosis of these mental health conditions.

The mental health impacts described and diagnoses considered here are only a small section of evidence on the experiences described by the families who campaign, but they serve to highlight the real life impacts of deportations on British families. Families for Justice believes that more extensive research should be carried out into the mental health impacts on children of being separated from a parent by unjust deportations.

Social Mobility

There are many definitions of social mobility. This report uses the definition provided by the UK Social Mobility Commission⁵ and the World Economic Forum, in order to better understand the social and economic impacts of unjust deportations on families.

The World Economic Forum defines social mobility as:

“the movement in personal circumstances either “upwards” or “downwards” of an individual in relation to those of their parents. In absolute terms, it is the ability of a child to experience a better life than their parents. Relative social mobility is an assessment of the impact of socio-economic background on an individual’s outcomes in life. It can be measured against a number of outcomes ranging from health to educational achievement and income.”⁶ 


Findings

Upon analysis of the case studies carried out, there are common themes of impact upon families targeted by unjust deportations. The themes and impacts have been presented in the table above. It is clear that families have and continue to face great financial adversity as a result of separation due to unjust deportations. Some are left living in poverty and reliant upon state benefits, food banks and vouchers. In this way, some families, previously with a decent income and not reliant on benefits, have been forced into poverty by unjust deportations. FFJ consider this outcome to be unacceptable, unjust and completely avoidable.

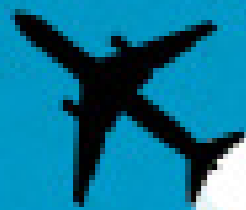
The Joseph Rowntree Foundation have highlighted some key causes of poverty in the UK: unemployment, low levels of education and skills, discrimination, weak relationships and trauma. The British families who have been separated by unjust deportation and/or family separation have through no fault of their own been subjected by the Home Office to all of these causes of poverty.⁷

The Public Law Project (PLP) has published a paper on why policy-makers should bring immigration law back into scope for legal aid.⁸ The current system for accessing immigration legal advice through Legal Aid is known to be overly complicated and present barriers to justice. Such that accessing Exceptional Case Funding (ECF) is inaccessible without the support of a legal provider to make the application. Where many immigration cases fall into applying for

ECF, the assumption being made is that most immigration cases do not fall under human rights grounds. This assertion is disputed, considering 80% of ECF grants for immigration legal aid are granted, where majority of cases are engaging the right to respect for private and family life under Article 8 of the European Convention on Human Rights.

When the Home Office carries out unjust deportations, there is little if any thought given to the British families harmed, left behind and forgotten. Women and children have, through no fault of their own, been left alone to deal with discrimination, oppression, poverty and numerous barriers to justice. 





“We know from publicly available statistics that between 2009 and 2021, 65,253 deportations were executed, and with this we can only estimate on the number of children separated from a parent through deportation”

Bella Sankey
Director of Detention Action

Areas of impact from case studies on families in the UK, where there is forced separation and/or a spouse has been deported

Class

Women are classed as single parents.

Legal aid and the barrier to justice

Nobody has been able to access legal aid, therefore in this case it has acted as a barrier to justice, and family's rights and lives have been compromised due to this.

The Law Project has published a paper on why policy-makers should bring immigration law back into scope for legal aid. Findings show the ECF funding scheme is a barrier to justice, and individuals rights are being compromised due to this. (publiclawproject.co.uk)

Poverty and food

Families have been left to rely upon food banks, and food vouchers.

Women, health and support

Women/mothers have been left scared and worried, if something happens to them what will happen to my child. Their father is in another country, and I have no support. My child could end up in care, they could end up separated and alone. Throughout the pandemic, this was a real fear. Some mothers actually caught Covid-19 and the only thing they could think about was, what if I die and my children are left alone, what if I do not fully recover from this.

Social Care

Social care services are there to protect and support the needs of communities, families and individuals. (indirect.gov.uk) Many families are left feeling alone, isolated and not able to access any support for them or their children. Instead they have been left feeling scared, isolated and threatened by a government service, that is set up to support children and families. However, findings from the case studies state, social care was used as a 'weapon' to further punish and separate families. Families have expressed they fear social care will remove/take their children away from them.

Poverty and work

A number of families have been forced to live in poverty, due to the forced deportation of a partner and or forced separation.


Prior to the deportation and or forced, separation families were able earn a decent income that provided the family with a good standard of living and not having to rely upon state benefits

Spouses becoming dependant after deportation

Spouses have been deported to poor and dangerous countries. They have been sent back with nothing, and some with nowhere to go or call home. Therefore the only people they can ask for help and rely upon are their partners, whom are also the women left as single parents supporting a family alone.



Financial Impact on Families

For families going through the deportation process, the upfront costs often reach thousands of pounds. When you factor in the loss of income from the person being deported, this could reach tens of thousands of pounds lost over a number of years. 

Deportation costs for a typical family	
Family profile ⁹	
Parents	Lloyd (facing deportation) and Serena
Children	Rhian (8) and Luke (11)
Location	Birmingham
<p>The Home Office states their intent to deport Lloyd. From this point, Lloyd is unable to work in the UK or access any form of government support, including benefits. Lloyd and Serena had been planning for him to be able to start contributing financially in some form when he is released, so this is a significant disruption. Lloyd is not immediately detained when he is released from prison, so in that period he takes over most childcare responsibilities, which offsets some childcare costs.</p>	
COST ESTIMATE	£10,292 ^{10 11}
<p>Lloyd begins his appeal against deportation. Following the Legal Aid, Sentencing and Punishment of Offenders Act</p> <p>Lloyd and Serena have lost around half of their expected household income and must now pay for legal fees and expert reports to prove the impact the deportation would have on their children. They speak to an experienced lawyer who quotes £4,000-£5,000 for the case, but can't guarantee it won't end up costing more.</p>	
COST ESTIMATE	4,000 ¹²
<p>Lloyd is detained ahead of his flight. He is no longer able to contribute to childcare. Serena must find a way to fund this while continuing to pay for legal fees.</p> <p>Additionally, she, Luke and Rhian travel three times from Birmingham to Heathrow to visit Lloyd and to say goodbye.</p>	
COST ESTIMATE	£11,482 ¹³
<i>Continued.</i>	

<i>Continued.</i>	
<p>Lloyd is deported. Serena is now solely responsible for the financial upkeep of the family. The deportation appeal has already used up all of their savings and left her in debt to friends and family. When Lloyd went to prison, she cut her hours as an office administrator down to part-time, to cover childcare. When she tells her employer she will have to make this a permanent change they say they need to hire someone full-time, so she loses her job. She struggles to find other work that she can fit around childcare so applies for benefits and starts accessing foodbanks and free school meals for Rhian and Luke.</p>	
COST ESTIMATE	£19,963 ¹⁴
<p>Lloyd struggles far away. He is unable to work in Jamaica. He does not have the correct documents and is easily identifiable as someone who has been deported from abroad.¹⁵ This means he faces stigma due to negative media statements made by the UK Government about people deported that have reached the Jamaican press. He has no permanent home and is moving from place to place, often living off the land. Serena has to send him money each week for phone credit so he can speak to Rhian and Luke, as well as clothes and food.</p>	
COST ESTIMATE	£2,400 ¹⁶
TOTAL ANNUAL COST ESTIMATE	£48,137 ¹⁷

Policy Recommendations



Those with migration as part of their familial story should be acknowledged as British families and be allowed the same rights and access to justice as families who do not. This means re-establishing birth right citizenship and restoring legal aid for Article 8 cases.

The automatic deportation scheme should be replaced with a discretionary scheme that allows deportation decisions that are genuinely in the public interest and in circumstances where Article 8 barriers do not exist.

Statutory and policy safeguards should be applied when life-changing decisions are made by the Home Office about our family and our right to a family life.

Family members, including children, should be included in deportation decisions, and provided with:

- **Explanation (to be informed of the decision to deport including the outcome of assessments and decisions and reasons when their views have not met with a positive response)**

- **Support (to be provided with support in their own right in addition to being a member of an affected family)**
- **Advocacy (to be provided with advocacy support to assist them in putting forward their views)**

The deportation decision-making process should include the practice of Child's Rights Impact Assessment (CRIA) and get the perspectives and views of children, during the deport decisions where children are identified. CRIA's are a UN convention¹⁸ advised good practice for considering the impacts on children. We feel CRIA's should be common practice as part of upholding Section 55 of the Borders, Citizenship and Immigration Act (2009), to safeguard and promote the welfare of the children in immigration decisions especially when it pertains to separating them from a parent through deportation decisions.

Families for Justice has discussed the harsh decisions that have felt unjust, unassessed and made under a cloud of darkness. The government seems to have

built a fear of legitimate challenge and we question whether public protection is really at the heart of deportation decisions. We ask that the Public Interest test is reformed to consider the public interest in the round, including the goals of rehabilitation and keeping families together.

We think there needs to be an interlinked multi-agency approach which properly assesses any risk that someone poses and the policies and practices in place to manage that risk. We have seen too many instances where Probation reports and Home Office reports on public protection and risk of harm are out of synch and unreflective of rehabilitation progress.

Immigration cases where there are children involved need a judicial system that is fit for assessing a child's best interests.

A hybrid judicial approach is required so that a member from the various judicial systems such as the the Family Court and Criminal Courts should be involved in Immigration and asylum Tribunals. In the Family Courts, the rights of British Children are paramount, yet when comparing a Family court to the Immigration Tribunal British children's rights are marginalised.

There has been significant harm experienced by partners and children since the reforms passed in the Immigration Act 2014, which narrowed the public interest test and explicitly sanctioned harm to the children of those facing deportation. We ask that our children's harm is seen as exactly that and is not pitted against the best interest of the public. Our children are the country's future policy makers, developers and innovators, so are we comfortable allowing some British children to suffer because they are seen as less than other British children and their harm is not of interest to our public?

We have heard time and time again of people facing deportation who have lived in the UK for majority of their lives and arrived here from a young age or, sometimes, were born here.

There are those facing deportation who have been through the British school system, had all their first life experiences in Britain and who know only the communities they are part of here. We ask that an age limit is considered in deportation cases. We know that this has happened previously in relation to specific charter flights, for example:

“an operational agreement was reached with the Jamaican High Commission to defer the removal of a number of foreign national offenders who had arrived in the UK before the age of 12”.

Tom Pursglove MP (2021) Minister for Justice and Tackling Illegal Migration.¹⁹

It is clear that the government has accepted that age is a factor to deportations being just and fair, so we ask that these considerations are not a discretion but a policy.

Those born in the UK or who arrived as children should not be subject to deportation, but instead supported to become British citizens. 🌟

Endnotes

1. Department for Education, 2015 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf
2. Revised Children's Anxiety and Depression Scale (RCADS) from <https://www.corc.uk.net/outcome-experience-measures/revised-childrens-anxiety-and-depression-scale-and-subcales>
3. Angold, A. & Costello, E.J. (1988). "Scales to assess child and adolescent depression: checklists, screens, and nets". *American Academy of Child Adolescent Psychiatry*, 27: 726–737
4. Foa, E.B., Treadwell, K., Johnson, K., & Feeny, N. (2001). Child PTSD symptom scale (CPSS): Validation of a measure for children with PTSD. *Journal of Clinical Child Psychology*, 30, 376-384.
5. The UK Social mobility commission "exists to create a United Kingdom where the circumstances of birth do not determine outcomes in life." (<https://www.gov.uk/government/organisations/social-mobility-commission/about>)
6. <https://www.weforum.org/reports/global-social-mobility-index-2020-why-economies-benefit-from-fixing-inequality#what-is-social-mobility>
7. 'What is Poverty?' <https://www.jrf.org.uk/our-work/what-is-poverty>
8. Public Law Project (2021) Legal Aid for Immigration – Bring It Back (accessed on: <https://publiclawproject.org.uk/resources/legal-aid-for-immigration-bring-it-back/>)
9. Based on the family profiles of Families for Justice members
10. All cost estimates are an estimated annual figure
11. Annual UK living wage (<https://tinyurl.com/5fap2r6x>) – average annual cost of part-time childcare for two children in the UK (<https://tinyurl.com/ywfrux9m>)
12. Mid-range estimate based on figures and estimates provided to Families for Justice and Detention Action
13. Average annual cost of part time childcare for two children in the UK (<https://tinyurl.com/ywfrux9m>) + 3 journeys from Birmingham to Heathrow for one adult and two children on thetrainline.com
14. An average part-time salary in the UK (<https://tinyurl.com/8v3bdruz>)
15. All FFJ members report that people who are deported are easily spotted by local people
16. Based on figures provided by members of Families for Justice
17. This figure is calculated based on the experiences of Families for Justice members and Detention Action clients, as well as publicly available statistics. Costs vary across cases, and could be more or less than the amount stated here.
18. UNICEF UK Child Rights Impact Assessments <https://www.unicef.org.uk/publications/unicef-uk-cria-2017>
19. Tom Pursglove MP (2021) Minister for Justice and Tackling Illegal Migration: NATIONALITY AND BORDERS
20. BILL, COMMITTEE STAGE LINE BY LINE 28 th OCTOBER 2021 & 2nd November 2021

Separated Families:
**Unjust Deportations
and the
Families Left Behind.**

