

BID

www.biduk.org

Annual Report 2015



Bail for Immigration Detainees is an independent charity that exists to challenge immigration detention in the UK. We work with asylum seekers and migrants, in removal centres and prisons, to secure their release from detention.

“Depriving anyone of their liberty should be an exceptional and serious step. Other well-respected bodies have recently called for time limits on administrative detention. In my view, the rigorously evidenced concerns we have identified in this inspection provide strong support for these calls, and a strict time limit must now be introduced on the length of time that anyone can be administratively detained.”

HM Chief Inspector of Prisons, August 2015,
Inspection of Yarl's Wood IRC

The year in headlines

309 bail applications prepared;
244 actually heard;
130 released on bail

53% success rate for represented cases

Two legal representation surveys carried out into legal representation in immigration detention

Written and oral evidence provided to the APPG Inquiry into Immigration Detention (*Immigration bail as a safeguard against arbitrary and long-term detention*) 'Access to legal advice in IRCs' and 'Families separated by detention')

Partner in pan-European project 'Making Alternatives to detention in Europe a Reality by Exchanges, Advocacy and Learning' (MADE-REAL); BID provided information on the UK for the report

3,708 individuals provided with assistance

Policy paper written on time limits on detention, 'Safeguards against arbitrary and prolonged detention'

71 individuals provided with advice and assistance to challenge deportation, 36 cases taken on for representation: 14 appeals heard, 6 granted and 7 refused. In all 6 cases that BID won, the Home Office appealed and permission was refused on 4; on 2, permission was granted and a hearing date is awaited

Three research reports published:
'Denial of justice: the hidden use of prisons for immigration detention in the UK';
'Rough justice: children and families affected by the 2013 legal aid cuts';
'No place to go: delays in Home Office provision of Section 4(1)(c) accommodation'

94 legal workshops or advice sessions delivered to **1,756** individuals

Bail for Immigration Detainees

What is immigration detention?

Anyone subject to immigration control in the UK can be placed in immigration detention pending a consideration of permission to enter the country or pending deportation or removal. There are currently 10 immigration removal centres (IRCs) in the UK, including Cedars, 'pre-departure accommodation' for families. The centres are encircled by barbed wire fences, detainees spend periods of the day locked up, and their movements at other times, including access to outside space, are extremely restricted. The power to detain an individual has been conferred on the Home Secretary under a number of Immigration Acts and that power is devolved to immigration officers. This means that a court does not authorise the decision to detain, continued detention is not subject to a time limit (unlike many other countries in the European Union), and individuals in detention are not entitled to an automatic bail hearing.

What does BID do?

We do not believe it is necessary to deprive a person of their liberty for the purposes of immigration control. Thus, BID's overall aim is to challenge immigration detention in the UK through the provision of legal advice, information and representation on release from detention, alongside research, policy and advocacy, and strategic litigation focusing on detention policy and practice. Specifically, we:

Provide information and advice to detainees through a telephone helpline, workshops and legal advice surgeries to help them make their own bail applications;

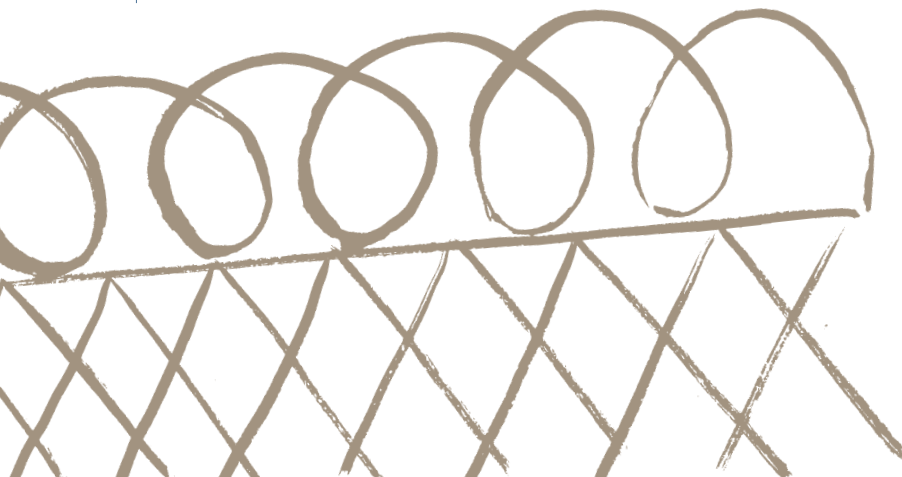
Prepare and present bail applications or applications for temporary release for some of the most vulnerable individuals, including survivors of torture and parents separated from their children;

Undertake research and use this and evidence gathered from our legal casework to advocate for changes to policy or practice;

Provide information to decision-makers, including civil servants, parliamentarians and the judiciary through policy advocacy;

Raise awareness of immigration detention through the media, including social media;

In partnership with other lawyers, prepare cases which challenge unlawful detention practices.



BiD Bail for Immigration Detainees

Director's and Chair's Report

"It was a pleasure to meet you and your colleagues. I want to personally thank you for attending HMP..... The feedback from the workshop was positive and the prisoners were very happy."

Feedback from prison

The publication of the Prisons and Probation Ombudsman's report with its unflinching condemnation of the treatment of 84 year old Alois Dvorzak who died in chains and handcuffs in hospital, having been taken there from immigration detention, has quite rightly horrified those who have read the newspaper reports. The report raises a number of questions, particularly for those unfamiliar with immigration detention. How is it that someone who has committed no crime and who is clearly frail, elderly and with severe physical and mental ill-health, can be incarcerated? What kind of system operates that this can happen with no judicial oversight of the decision to incarcerate him? Why were the recommendations of the healthcare professionals who examined him and judged him unfit to be detained not acted upon? And why, in any civilised society, would anyone place an innocent, frail, desperately ill old man in handcuffs and chains to attend hospital?

The answer is that we have a system which places greater emphasis on the need to enforce immigration control, removal and deportation than on the needs and vulnerabilities of those caught up in it. It is a system which operates without meaningful safeguards and with minimal oversight.

To detain someone, an immigration officer must first explore the alternatives to detention and only use detention as a last resort. But without any oversight of this decision, it inevitably becomes the option of first resort than last resort. To maintain an individual's detention, officials again have to make the same assessment as to whether more humane alternatives would be appropriate. Again, there is no oversight of decisions to continue detention and we see in our casework that decisions to detain and to maintain detention are no more than a tick-box exercise. Healthcare professionals who examine individuals in detention must file a 'Rule 35' report if they have concerns about an individual's health and suitability for detention. The report states their view that the individual is unsuitable for detention. And yet there is no compulsion on the Home Office to act on these reports, and audits of the Home Office responses to these reports show that, in practice, very few result in release of the individual.

It takes cases like this to ignite public revulsion at such treatment and yet we exist as an organisation to challenge immigration detention as we do not believe it necessary to lock people up for the purposes of immigration control. While detention continues to operate, we advocate the use of existing alternatives, and to press for meaningful safeguards such as judicial oversight of decisions to detain along with a time limit on detention.

"Many thanks to BID for helping me and my family to get back together after so long in detention. I pray that this service will carry on the great work they do for people in similar situations as I was in. Thank you."

Feedback from client



“Since Thursday I have been looking for the right words to say or use but I am still in shock with joy and gladness for **’s bail. I want to say the biggest THANK YOU for your help, support and passion towards my brother. Many million thanks to you and the whole BID team.”**

Feedback from brother of a client

The last year has seen some interesting political developments on this front – an All-Party Parliamentary Group Inquiry into Immigration Detention took place, chaired by Sarah Teather MP. BID gave written and oral evidence to the inquiry along with a number of other organisations. The report of the inquiry recommended the adoption of a time limit and judicial oversight, and many MPs of different political persuasions are now, at the very least, uncomfortable about, if not entirely opposed to, the system of immigration detention.

Despite this, it has been a harsh year for BID clients. The new Immigration Act came into force with its ‘deport first, appeal later’ provisions. Although those provisions were not rolled out immediately, their effects have now begun to bite in a dramatic fashion. Research on separated family clients we carried out for parliament’s Justice Committee inquiry into the impact of the legal aid cuts revealed that, of the 102 parents’ cases studied, 22 were deported without their families and only 5 of those had legal representation. A client that we have been representing has been deported without his British partner and children and is living homeless under a bridge – hardly conditions conducive to mounting an appeal against deportation.

As always, BID aims to respond to these new challenges in its work. Our new deportation project completed its first full year of operation and supported 71 people with legal advice and representation on deportation. Our prisons’ team supported almost two hundred people held under immigration powers in prisons. Our policy work challenged the use of prisons as a place of detention, producing a briefing and using our evidence for a witness statement in litigation challenging the practice.


Internally, we completed our first year as one office, having centralised our operations and closed our two small offices the year before. We were delighted to have reached more people, carried out more legal advice sessions, and prepared more cases for representation than ever before and you can read more about these achievements in the pages that follow.

We are so fortunate to have some quite remarkable people involved with BID from trustees to staff to volunteers, but I want to say a special thank you to our volunteers. Their commitment and dedication is quite extraordinary and truly humbling. Many of them commit more time and for longer than they initially anticipated to BID and the numbers that we have achieved over the last year could never have been reached without them. We are enormously grateful to each and every one of them.

To our funders we say: Thank you for supporting us on the journey so far! Please continue to support us – the needs are even greater than before and, by helping us you help challenge some real injustices that are often hidden away from public view. We will use your money wisely and we will continue to operate with the utmost professionalism.

**Celia Clarke,
Director**

**Liz Barratt,
Chair**



“Thank you very much. Me and my family are very grateful of your help.”

Feedback from client

Our Work

“By the way, a couple of solicitors approached me themselves in the immigration tribunal when they saw my paperwork with the BID sign on it. They commented how highly they appreciated the work of your organisation.”

Feedback from a volunteer



Bail casework and outreach

We have yet again increased the number of people supported over the last year, reaching 3,708 people. We almost doubled the number of workshops or legal advice sessions delivered, carrying out 94 visits in 8 different detention centres and 7 prisons across the UK. A total of 1,756 people received advice in this way. We prepared 309 bail applications for representation (78 more than last year) of which 244 were heard. 130 of them were successful. These results are quite remarkable given that the organisation underwent a restructure, reducing from three offices to one, and in the context of the desperately harsh legislative and political environment in which it operates.

Feedback from clients

We seek feedback from clients who attend our legal advice sessions as well as those we represent. A snapshot of the returned feedback forms from Yarl's Wood, where women are held, shows that 95% said the workshop had been either 'very helpful' or 'helpful'. When asked if they felt more supported and listened to as a result of the workshop, 98% responded either 'a lot' or 'a fair bit'. In answering the question 'Do you feel you understand your immigration rights better as a result?', 92% responded either 'a lot' (60%) or 'a fair bit' (32%). Over 70% of respondents said they felt more confident about their situation as a result of the workshop.

Strategic litigation

BID's legal strategy consists of two elements: referring cases for judicial review or civil actions for unlawful detention, and acting as interveners, usually in the Court of Appeal, Supreme Court or European Court of Human Rights. Over the year, 37 referrals were made by solicitors' firms to judicially review an aspect of an individual's case. Most of these were in relation to unlawful detention but a few were in relation to delays in provision of Section 4 accommodation. Our family team referred six cases for immigration judicial reviews which were accepted. BID has intervened in two cases that are before the European Court of Human Rights, JN (Case No. 37289/12) and the case of *Draga* (Case No. 33341/13). The interventions focus on the importance of time limits on, and automatic judicial oversight of, immigration detention; the difficulties immigration detainees face in gaining access to justice including access to legal representation; the expanding use and length of immigration detention; deficiencies in Home Office decision-making; and critiques by international human rights bodies and experts of the UK's detention regime.

“I must admit I am shocked at the services you have rendered to me free of charge. I am shocked because of your extremely high level of professionalism both in your legal work and communication. I took my bail statement around and emailed copies to all my brothers and sisters asking them to see the quality of the work I received for free. I am extremely satisfied with your work and can not describe the hope and light your work brings to people's lives like mine. I did not have my bail granted but your wonderful work has not gone unappreciated.”

Feedback from client

Article 8 & Deportation Advice Project (ADAP)

Our new project (in partnership with the University of Law) to provide legal advice and representation on deportation to long-term British residents denied legal aid due to the 2013 legal aid cuts, completed its first full year, having started in April 2014. In the last year the project advised 71 people and took on 36 cases. Fourteen appeals have so far been heard. Of those, six were won and seven refused. The Home Office appealed all six, the court refused permission to appeal in four and granted permission in two.

All cases referred to the project benefited from a full merits review which assessed whether there was a sufficiently strong legal case to pursue. Full advice was provided on client's current legal position and next steps required before any legal action could be taken. This service has been particularly valuable for individuals who have lost their deportation appeals and wish to make a new human rights application and to revoke the deportation order. As no legal aid is available for Article 8 (right to private and family life) matters, these individuals have no other means of accessing legal advice about the legal tests to be met and the evidence required to prepare a revocation application.

Self-help materials

Six new factsheets were written, formatted and posted on our website. They are: *Deportation Appeals: an overview*; *Deportation Appeals: Deportation of EEA nationals*; *Deportation Appeals: EEA nationals' length of residence*; *Deportation Appeals: Representing yourself in the First-tier Tribunal*; *Deportation Appeals: Certification of a Human Rights Claim*; *Deportation Appeals: Preparing your Article 8 deportation appeal*. In addition, BID factsheet 3: 'Information for immigration detainees held in prisons' was translated into Russian, Polish, Mandarin and Cantonese, and the BID bulletin: 'Travel documents' was translated into Russian and Lithuanian. BID's self-help book, 'How to Get out of Detention' was translated into Mandarin, Russian, Arabic, Polish, French and Cantonese.

"Thank you for your time and your Fact Sheets are great. You may remember **. We helped him with his appeal and he went down the judicial review route. The Home Office invited him to withdraw his Judicial Review in exchange for the Home Office withdrawing the Deportation Order."**

Feedback from a prisoner

CASE STUDY

Mr A had been sentenced to two years for financial crime. He has a long term partner in the UK with leave to remain and a child who is a British citizen. The child has severe autism and suffered significant emotional trauma as a consequence of separation from his father while he was both in custody and immigration detention. ADAP was able to obtain an expert Independent Social Worker report for the appeal which evidenced the significant damage that would be caused to the child's wellbeing should his father be deported.

The appeal was successful. In her determination, the immigration judge stated how valuable the expert evidence had been in assisting her to identify the best interests of the child and hence to determine the appeal. The Home Office applied for permission to appeal to the Upper- tier Tribunal, which was refused.

Profile of clients:

In the overwhelming majority of cases, the client is male and had served a sentence of between 12 months and 4 years. In many cases, the client arrived in the UK as a minor and had spent the bulk of their childhood and all their adult life in the UK. Most had not returned to their home country and had no family or social support network to return to if deported. The longest residence in the UK was fifty years. One client was born in the UK and had never travelled abroad.

In most cases, the client had a British partner and children in the UK. In some cases, there was strong medical evidence that the children's emotional and psychological well-being had been very significantly damaged by the separation caused by the father's period in custody and immigration detention, which was indicative of the likely highly detrimental impact that long term separation by deportation would cause.

Prisons' Project



Prisons project

In 2013 we established a dedicated prisons project to provide advice and representation to individuals held under immigration powers in prisons, of whom there were significant numbers and who are even more disadvantaged than those in detention centres, by virtue of being held under serving prisoner conditions. The prison team has assisted a total of 179 immigration detainees held in prison over the last year. 73 bail applications were prepared with 63 of them actually heard. 33 clients were granted bail and one was released in response to a temporary admission application. 13 legal advice sessions were carried out in 7 different prisons, reaching 296 people. 31% of attendees returned their feedback forms and 96% said that the advice had been either 'very helpful' or 'helpful'. 97% said the advice had helped them understand the bail process either 'a lot' or 'a fair bit'.

Challenging the use of prisons as a place for immigration detention

In September 2014 we published an updated research report '*Denial of justice: the hidden use of prisons for immigration detention in the UK*'.

We worked closely with Bhatt Murphy solicitors in the case of Idira vs SSHD [2014] EWHC 4299. The second part of the case was heard in November 2014 and was a challenge to the current Home office policy of using prisons as a place of immigration detention. Mr Justice Jay found the approach of the Secretary of State was a "systemic" public law error and quoted extensively from BID's report in his judgment.

BID has been lobbying the Home Office for years to publish data on the number of immigration detainees held in the prison estate and to incorporate data on their lengths of detention into the main migration statistics. In the quarterly migration statistics published in November 2014, the Home Office for the first time published the number of detainees in prisons. We will continue to push for published data on length of detention.

CASE STUDY

Ms R is a 29 year old woman facing deportation to a country she left when she was 4 years old. Her entire family lives in the UK. Since coming to this country 25 years ago, she has never returned to her country of origin. While the rest of the family became British citizens, R remained on indefinite leave to remain. She suffers from serious mental and physical ill-health and has learning difficulties. She was convicted of a crime and detained following the completion of her sentence in May 2015. While in prison her mental health deteriorated significantly. She made multiple suicide attempts including placing ligatures around her neck. She regularly self-harmed and was constantly tearful.

While in prison, R was served with a deportation order. However, she had no access to legal aid, nor any funds to instruct a private solicitor. She therefore enlisted the help of some prison staff to assist her in putting together an appeal against her deportation. She successfully challenged her deportation order on the grounds that due to her health issues and severe learning difficulties there was no possibility of her surviving long if deported. Despite winning her deport appeal, she was not released as the Home Office decided to appeal the decision and continued to detain her. They maintained that she was an absconding risk.

BID took on her case for bail after she wrote to us. It was a slow process due to limited communication with R to take instructions, together with probation address check delays and listing delays at the tribunal. Eventually her case was heard, and R was granted bail. If we had not intervened, R would be like many other detainees who are languishing in prison or detention despite succeeding in their deportation case. It is by no means unusual that vulnerable detainees with serious mental health issues are still being kept in detention. Most of our clients have mental health issues ranging from psychosis, to post-traumatic stress disorder and depression.



Separated families' project

"In our survey, 16% of respondents said that they had dependent children in the UK. Neither the Home Office nor Serco kept data on the number of women who had caring responsibilities, which was concerning. Such data would have assisted in addressing safeguarding risks and determining the best interests of the children. We reviewed the files of four women with children in the UK. In one case the woman told us she was arrested when she attended a reporting centre. Her 23-month old British daughter was placed in the care of the mother's sister who, within two days, decided the arrangement was inappropriate. The child was transferred to the care of social services. We saw no evidence of the Home Office considering the best interests of the child when detaining the mother, nor in any ongoing formal review of detention."

HM Chief Inspector of Prisons, August 2015, Inspection of Yarl's Wood IRC

The project supported 179 parents with 397 children over the last year. 110 families were reunited as a result of our work. 57% of our bail cases were successful, significantly higher than the national success rate of 22%, despite taking on the most difficult cases for representation. We ask for feedback from clients after we have represented them. 30% of clients returned their forms. 95% said the advice BID had given them had been helpful. 90% said BID's preparation of the case was excellent, 90% said the barrister understood the case well, 90% said their understanding of bail had increased since their contact with BID, and 95% said that working with BID and being active about challenging their case had been helpful.

Some shocking examples of decisions to detain during the year have been: a single parent detained on reporting, with their two-year-old child being put into care as a result; another single (widowed) parent's twin children put into care as a result of their father's detention. Neither of these clients was removable and both have since been released from detention.

Other clients were re-detained less than two weeks after being released on bail including: a client re-detained the day before the deportation appeal and a week before a family hearing which meant neither could go ahead. The impact on the family at this turn of events was devastating.

More clients are having to represent themselves in their deportation cases and we have spent a lot of time making referrals to try and get our clients representation. This has included working closely with BID's deportation project and also working with solicitors to challenge, by means of judicial review, where clients have been given an out of country appeal right only.

Many of our clients who are released have no financial support, are unable to work and have stringent bail conditions to follow. As austerity, including legal aid cuts, take their toll and there is less outside support for clients who get released, the Family Team has spent more time on post-bail issues, including negotiating with the Home Office and requesting the Tribunal to vary bail conditions.

Research, policy and advocacy

In June 2015, BID completed its latest report, *Rough Justice: children and families affected by the 2013 legal aid cuts*. Since April 2013, detainees have not been able to access legal aid for the vast majority of immigration claims. BID carried out research to monitor the effect of the cuts on families with children. Without access to legal representation, most parents have little chance of successfully appealing their deportation or removal.

We investigated the cases of 102 parents who were separated from 219 children by immigration detention, deportation or removal from the UK. 22 of the 102 parents were removed or deported without their children. Over 80% of children whose nationality we were able to identify were British citizens. 93% of the children were born in the UK.

In April and December last year this evidence was submitted to Parliament's Justice Committee for their inquiry into the impact of the legal aid cuts under the Legal Aid, Sentencing and Punishment of Offenders' Act 2012. BID was invited to give oral evidence in October and in March a report was published which included several quotes from BID's evidence. After the inquiry, BID's Justice Committee evidence was featured in *Legal Action Magazine* and *Legal Voice*.

In March, following the Channel 4 undercover reporting on Yarl's Wood, *Open Democracy* published a blog by BID's Sarah Campbell on Yarl's Wood, the legal aid cuts and the separation of families. The blog was the top story on Open Democracy's homepage on the day it was published.



SEPARATED FAMILY CASE STUDY

Ian is a father of three young children aged between 3 and 7 who were all born in the UK. He had been sentenced to 12 months in prison for using a false document to work. BID helped him get bail in 2014 and he was released and reunited with his family.

The family put in an application to remain in the UK on the basis that their children have lived here all their lives (the Home Office has a policy to allow families to regularise their stay if they are undocumented if they have a child who has lived in the UK for at least 7 years and it would not be reasonable to expect the child to leave the UK). The family remained in the UK, waiting for a decision on this application. Ian was asked to report weekly to the Home Office as part of his bail conditions and he did so without fail.

On reporting to the Home Office in April 2015 he was re-detained and handed a refusal of the family's application for permission to remain. To detain a parent is in breach of the Home Office policy to keep families together unless there are strong reasons to think that an individual will abscond. Ian had shown he was not an absconding risk as he had remained in contact with the Home Office throughout the year he had been bailed.

The family was reliant on support from social services as Ian was not allowed to work. The family's allocated social worker wrote a letter to the Home Office raising concerns about the effect on the children of Ian's detention.

Soon after his detention he was served with a deportation order and told he had to leave the country. He was also told he could not appeal this decision, but could lodge a human rights appeal after he was deported.

Ian lodged a judicial review to challenge the decision not to give him an appeal right within the UK on the basis that it would have a very severe impact on his family if he were separated from them and he included a letter from social services which raised concerns about his deportation and the impact on his children. However, before this judicial review was considered Ian was deported.

Ian's wife, Suki is now alone with three young children in the UK. The whole family is in shock. Ian is struggling to survive in a city that is now alien to him. BID has taken on his case to appeal his deportation out of country.

Research, policy and advocacy

Parliamentary inquiry into the use of immigration detention in the UK

BID provided three written submissions to the inquiry, '*Immigration bail as a safeguard against arbitrary and long-term detention*', '*Access to immigration legal advice in IRCs*' and '*Families separated by detention*'.

We were later invited to give oral evidence in October 2014 to the inquiry panel on access to legal advice, the bail process, and immigration detention in the prison estate. We sat on a panel with ILPA, The Bingham Centre for the Rule of Law, and Bhatt Murphy Solicitors.

The report of the parliamentary inquiry into the use of detention was published in March 2015. BID's oral evidence and written submission to the inquiry panel were extensively quoted in the final report, specifically on access to immigration advice, detention in prisons, and Section 4(1)(c) bail address delays (see e.g. pages 51, 70).

"Just a quick note to thank you and the team for another successful day at HMP***. The training that **** gave this morning to the Peer Mentors is invaluable. We rely a lot these days on the Peer Advisors in relation to making referrals. Thank you as well to ****, **** and **** for your one-to-one work with the men. This work is crucial in giving them the right advice and guidance as well as giving them hope. Please thank all three from me."**

Feedback from prison

Access to justice, challenging long-term detention



Legal representation surveys

In November 2014 and May 2015 we carried out our 9th and 10th legal representation surveys, which provide us with information about the state of detainees' access to legal representation during their time in detention. We deployed 5-person volunteer teams from BPP Law School Pro Bono Centre. For each survey around 150 detainees were interviewed in detail about their experiences in seeking and receiving immigration legal advice while detained in an IRC. Findings revealed that more than half (53%, 50%) of respondents had no legal representative at the time of the survey, and between 11% and 30% had never had any legal representation during the entire duration of their detention. Well over half (59% and 67%) of those who had a solicitor had never had a bail application made for them. More than two-thirds (74% and 80%) of respondents who had served a criminal sentence had never had any immigration legal advice or representation while in prison.

“Again, I would like to thank you and your team for the help and support regarding my husband’s bail application. I did not pay you a single penny and you have done an excellent job. The solicitors I paid from my own pocket could not help me at all. You won’t believe how happy our children are. This is the best thing that has happened to us in the last eight months.”

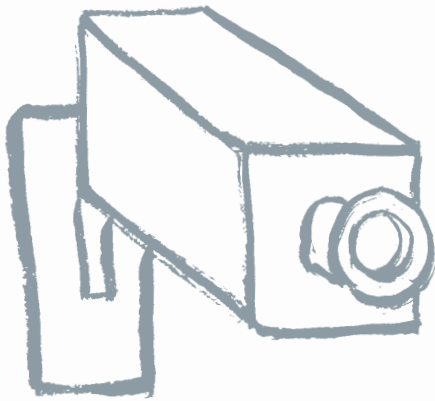
Wife of client

Time limits on detention

BID has always believed that, while detention exists, it should be time-limited and subject to judicial oversight. In the run up to the General Election 2015 we mapped the manifesto commitments of the major parties in relation to detention (especially time limits), legal aid, deportation, judicial review, and in preparation for any post-election working group on detention time limits we wrote a BID policy paper ‘*Safeguards against arbitrary & prolonged detention*’.

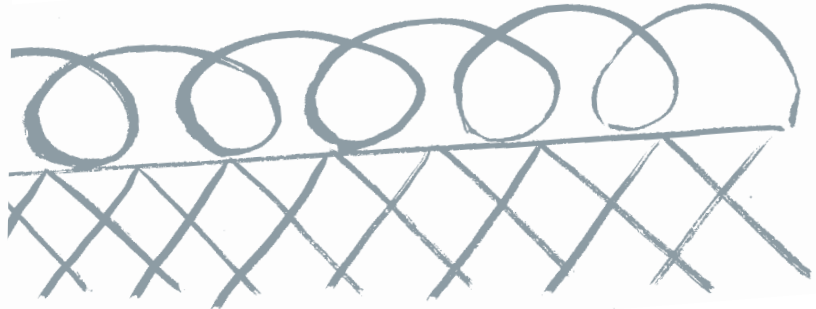
“Thank you so very much for your incredible work in ensuring *** was released. Your passion, dedication and drive is admirable, your written argument was excellent and your helpful pointers invaluable. I have been sincerely touched by the work of you both where you clearly care and empathise for your clients. The past almost four years have been incredibly trying and it was refreshing to come across people who we felt for the first time were genuinely on our side. It has been one battle after another, yet this time we had allies. You assisted in bringing us happiness, and for the first time in years, I feel truly happy.”**

Wife of a client



“The estimated annual cost of a migrant being on an electronic monitoring device is £4,968...The average annual cost of a migrant being held in detention is £36,026.”

James Brokenshire, Immigration Minister, Hansard: HC Deb, 17 November 2014.



Delays in provision of Home Office Section 4(1)(c) bail accommodation

In September 2014 we published a report ‘*No place to go: delays in Home Office provision of Section 4(1)(c) bail accommodation*’, based on findings from the research exercise on Section 4 delays carried out during the first six months of 2014.

The report was shared with the Home Office in September prior to the NASF Asylum Support meeting in October which BID attended, and at which we presented a summary of our findings on the scale and size of delays in provision of Section 4(1)(c) bail addresses. It was also shared with the President of the First-tier Tribunal who circulated it to Resident Senior Judges in all FTT hearing centres. Others to whom the report was disseminated were: the First-tier judge responsible for bail training in the FTTIAC; the HM Inspectorate of Prisons and the Independent Chief Inspector of Borders and Immigration as well as the Detention Inquiry panel members.

Alternatives to detention

BID was the UK partner in the MADE REAL project (*Making Alternatives to Detention in Europe a Reality by Exchanges, Advocacy and Learning*) hosted by the Odysseus Academic Network and co-funded by the European Union. The various European participants provided data to the Odysseus Network to enable it to prepare and publish a report which called for governments to make more use of alternatives to immigration detention. BID provided the data for the UK.

Website and Twitter

Our website was re-designed which involved a lot of work in migrating content to the new site. The number of Twitter followers that BID has increased by 41% during the year to 3,564. Our Research and Policy Manager ran a Christmas Twitter fundraising campaign, #freeforChristmas, using videos shot of legal staff and volunteers talking about our work with families. Although it only raised a small amount of money, tweets were widely re-tweeted, resulting in a higher profile for BID’s work.

Volunteers

We are hugely indebted to our volunteers and their dedicated support, without which we would never be able to support the number of detainees that we do. During the year, volunteers contributed approximately 14,000 hours to the organisation.

Travel documentation project: Every year BID, through a Freedom of Information request, requests a copy of the Home Office’s country information guide on timescales and contextual advice by country for obtaining travel documents. The Home Office redacted part of the document, citing public interest and immigration control as reasons for refusal to disclose. BID requested an un-redacted version which the Home Office declined to provide. BID challenged the Home Office’s refusal to disclose but the Information Commissioner upheld the Home Office’s position. BID has now appealed to the General Regulatory Chamber against the Information Commissioner’s decision to uphold the Home Office’s refusal to disclose. Allen & Overy are acting for BID with Timothy Pitt-Payne QC and Tom Cross of 11 King’s Bench Walk as counsel, all acting pro-bono.

Statement of Financial Activities

For the year ended 31 July 2015

SUMMARY INCOME AND EXPENDITURE ACCOUNT

	Notes	Restricted Funds £	Unrestricted Funds £	2015 £	2014 £
Incoming resources					
Incoming resources from generated funds:					
<i>Voluntary income:</i>					
Donations and grants		40,000	312,212	352,212	337,581
<i>Activities for generating funds:</i>					
Investment income		-	4,702	4,702	1,901
Other income		-	2,036	2,036	2,028
Incoming resources from charitable activities		273,500	-	273,500	319,343
Total incoming resources		<u>313,500</u>	<u>318,950</u>	<u>632,450</u>	<u>660,853</u>
Resources expended					
Costs of generating voluntary income		-	23,392	23,392	19,536
Charitable expenditure:		301,008	283,181	584,189	550,760
Governance costs		-	18,626	18,626	23,600
Total resources expended		<u>301,008</u>	<u>325,199</u>	<u>626,207</u>	<u>593,896</u>
Net incoming resources		12,492	(6,249)	6,243	66,957
<i>Reconciliation of funds</i>					
Total funds, brought forward		82,859	193,676	276,535	209,578
Total funds, carried forward		<u>95,351</u>	<u>187,427</u>	<u>282,778</u>	<u>276,535</u>

BALANCE SHEET AS AT 31ST JULY 2015

	Notes	2015 £	2014 £
FIXED ASSETS			
Tangible assets		726	1,203
CURRENT ASSETS			
Debtors	9,529		8,804
Cash at bank and in hand	316,088		299,760
	<u>325,617</u>		<u>308,564</u>
CREDITORS: amounts falling due within one year			
	<u>43,565</u>		<u>33,232</u>
NET CURRENT ASSETS		282,052	275,332
NET ASSETS		<u>282,778</u>	<u>276,535</u>
INCOME FUNDS			
Restricted funds		95,351	82,859
Designated funds		22,846	25,000
General funds		164,581	168,676
		<u>282,778</u>	<u>276,535</u>

We'd like to extend a huge 'thank-you' to all our staff, trustees, volunteers, barristers and solicitors who have supported our work over the year. Quite simply, we would never have achieved all that we have without them.

Trustees

Rajeev Thacker (Chair, resigned 17/02/2015), Liz Barratt (Chair), Maggie Pankhurst (Vice-Chair), Claire Branch (Treasurer), Chris Tully, Katharine Sacks-Jones, Ruth Stokes, Saoirse Townshend (appointed 14/04/2015), Sandeep Katwala (appointed 10/06/15), Alastair Livesey (appointed 10/06/2015).

Staff

Nicholas Beales (Legal Caseworker, left 09/04/2015), Sarah Campbell (Research & Policy Manager, left 17/06/2015), Celia Clarke (Director), John Cox, (Policy & Research Manager, joined 17/08/2015), Ionel Dumitrascu (Legal Manager Casework & Outreach), Matthew Duncan (Legal Manager, Right to Liberty), Elli Free (Legal Manager, Separated Families' Project), Carmen Kearney (Legal Manager, ADAP), Pierre Makhoul (Assistant Director), Iqinder Malhi (Legal Manager, Prisons' Project), Natalie Poynter (Legal Manager, Casework & Outreach, left 31/07/2015), Silke Schroder (Legal Manager, Right to Liberty), Adeline Trude (Research & Policy Manager), Kamal Yasin (Office & Finance Manager).

Volunteers

Shoaib Khan, Tony Goodfellow, Gillian Baden, Nicholas Sadeghi, Adnan Qadri, Nasrat Sayyad, Rebecca Kuehler, Clemence Aymon, Charles Brown, Elena Butterfield, Carmen Ko, Araniya Kogulathas, Nadia Zink, Emily White, Duduzile Moyo, Jenna Pollock, Tim Hansen, Olivia Burgess, Asya Akram, Gamze Sen, Suzanna Grayburn, Susana Costa, Elena Livieri, Grace Matthews, Robin Pickard, Nazneen Jivraj, Carla Mirallas Martinez, Faye Vincent, Aditi Jaganathan, Serena Gonfiantini, Sara Lodi, Sonia Ferguson, Van Ferguson, Jonathan Fransman, Johara Borbey, Ahmed Osman, Patrick Rooney, Alexandra Stefanou, Grace Allen, Sayuri Inman, Ioannis Benetatos, Timothy Hansen, Cristina Minuto, Kai Ming Man, Gurpal Cheema, Jessica Ford.

BPP Pro Bono Centre volunteers:

Francesca Cancellaro, Emmie Hodges, Saira Iqbal, Max Lansman, Elizabeth Donnelly, Abigail Tuitt, Danielle Bovell, Matt Lai, Iqra Khan, Janine Smith, Olga Matveeva, Phil Armitage, and special thanks to Shaila Pal.

BID wishes to thank the following barristers for offering us their help. Although not everyone's services were used, we are grateful that we are able to call on them for help whenever the need arises:

Michael Fordham QC, Raza Husain QC, Timothy Pitt-Payne QC, Tom Cross, Laura Dubinsky, Jason Pobjoy, Francesca Delany, Anna Waterson, Gwawr Thomas, Siobhan Lloyd, Vyaj Lovejoy, Eleanor Hutchinson, Andrew Gilbert, Marisa Cohen, Daniel Sills, Catherine Robinson, Harriet Short, priya Solanki, Emma King, Althea Radford, Ben Bundock, Paul Mason, Rachel Francis, Sam Hawke, Shauna Gillan, John Crosfil, Michelle Pratley, Philippa Jackson, Annabel Lee, Jennifer Thelen, Tom Tabori, Heather Emerson, Paul Harris, Michelle Knorr, Alasdair Mackenzie, Alison Pickup, Phil Haywood, Catherine Meredith, Jelja Sane, Jane Elliott-Kelly, Katherine O'Byrne, Greg Ó Ceallaigh, Val Easty, Gemma Loughran, David Jones, Anthony Vaughan, Raza Halim, Ronan Toal, Patrick Lewis, Navtej Ahluwalia, Ali Bandegani, Richard Reynolds, Bijan Hoshi, Colin Yeo, Taimour Lay, Abigail Smith, Leonie Hirst, Sonali Naik, Rebecca Chapman, David Neale, Grace Capel, Yvonne Krama, Ubah Dirie, Jonathon Butterworth, Richard Mobbs, Emma Daykin, Eric Frupp, Justine Fisher, Bojana Asanovic, Ellis Wilford, Keelin McCarthy, Sandra Akinbolu, Raphael Jeserum, Gordon Lee, David Sellwood, Christel Querton, Kezia Tobin, Sarah Pinder, Bronwen Jones, Claire Phylissas, Amanda Walker, Antonia Nebfield, Philippe Bonavero, Matthew Shaw, Dr Pavlos Eleftheriadis, Sara Anzani, Ben Silverstone, Raj Desai, Kirsten Sjevoll, Joanna Buckley, Anita Davies, Tamara Jaber, Jessica Jones, Eloise Le Santos, Ayesha Christie, Darryl Hutcheon, Ben Amunwa, Christopher Hanges, Emily Wilsdon, William Irwin, Anthony Lenanton, Pippa Woodrow, Asma Nizami, Afshaan Hena, Adam Payter, Simon Canter, Simao Paxi-Cato, Jo Rothwell, Jennifer Blair, Camille Warren, Rory O'Ryan, Lucy Mair, Natalie Wilkins, Tom Royston, R Brigden, Mikhil Kamik, Shazia Khan, Rebecca Pickering, Stephen Tettey, Adam Pipe, Christopher Lane, Venice James, Marian Cleghorn, Tara Wolfe, Tasaddat Hussain

“This thankyou comes not only from the heart, but from a lot of un-named individuals who are very grateful for all the work you have done to help me be with my family. I want to say a personal thank you and to tell you that I appreciate your professionalism and compassion that you do your work with.”

Feedback from client

We are also grateful for the following chambers, and their clerks for enabling BID to have access to the pro bono help of their barristers:

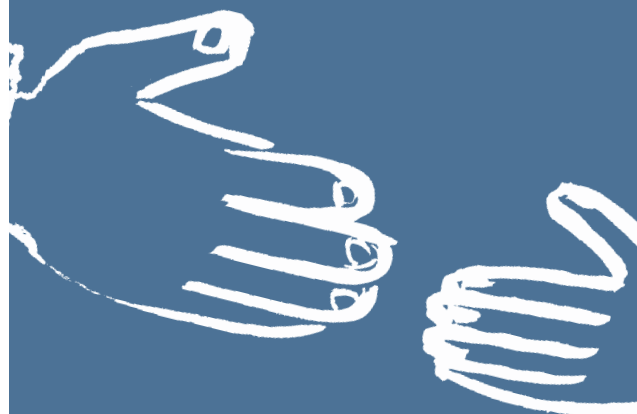
1 Gray's Inn Square,
1 Mitre Court Buildings,
1 Pump Court,
2 Dr Johnson's Building,
2 King's Bench Walk,
4 King's Bench Walk,
5 King's bench Walk,
6 King's Bench Walk,
10 King's Bench Walk,
11 KBW,
36 Bedford Row,
42 Bedford Row,
1215 Chambers,
Blackstone Chambers,
Broadway Chambers,
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Invictus Chambers,
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Landmark Chambers,
Mansfield Chambers,
Matrix Chambers,
No5 Chambers,
Temple Garden Chambers,
Trinity Chambers,
Thirty-Nine Essex Street Chambers.

We also wish to thank the following solicitors and their firms for their kind pro bono help and advice:

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Andrew Denny, James Neill and Maeve Hanna
Bhatt Murphy Solicitors -
Hamish Arnott, Janet Farrell and Jane Ryan
Deighton Pierce Glynn Solicitors - Sue Willman, Anne-Marie Jolly, and Connie Sozi
Leigh Day Solicitors - Jamie Beagent and Waleed Sheikh
Luqmani Thompson Solicitors - Eileen Bye
Public Law Project - Jo Hickman and Joe Vester
University of Law - Emma Douglas and Smita Bajaria
Wilson Solicitors LLP - Kay Everett and James Elliott

A big thank-you to our funders: we were only able to achieve what we have because of their support – long may it continue!

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“The Committee is concerned that no fixed time limit on the duration of detention in Immigration Removal Centres has been established and that individuals may be detained for prolonged periods.

The State party should:

(a) establish a statutory time limit on the duration of immigration detention and ensure that detention is a measure of last resort and is justified as reasonable, necessary and proportionate in the light of the relevant circumstances;”

**UN Human Rights Committee 2015,
Concluding observations on the seventh
periodic report of the United Kingdom of
Great Britain and Northern Ireland**

BiD **Bail for
Immigration
Detainees**

1b Finsbury Park Road
London N4 2LA
0207 456 9750
www.biduk.org
Email: enquiries@biduk.org

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