



City of Sanctuary

Guidelines to support CoS groups who wish to support someone detained in an Immigration Removal Centre

From time to time City of Sanctuary volunteers and coordinators will be approached or become aware that a local asylum seeker is detained pending removal. This often comes as a shock and groups have rightly asked for guidance. The main actions that a CoS group can take is at the level of personal and moral support for the detainee and mobilising solidarity amongst supporters as well as awareness raising and fundraising for legal fees if required.

There is a [page of resources on the website](#) including a link to the very useful and regularly updated toolkit provided by Right to Remain: [A Guide to the UK Immigration System and Taking Action for the Right to Remain](#) which includes a section on removal.

City of Sanctuary is a member of the [Detention Forum](#) and advocates against detention - especially for vulnerable people, for indefinite periods and without judicial oversight. It is one of our key asks in the Birmingham Declaration. Mobilising local support for a detained asylum seeker provides solidarity and raises awareness and we encourage City of Sanctuary groups to consider this option but only after consultation with the asylum seeker to gain permission to publicise their plight amongst existing trusted supporters. Publication of details through the media or the internet which can identify the detainee could create serious risks to their family or themselves, especially if they are removed to their country of origin. It could also impact their legal case so contact with the solicitor regarding this is important.

We suggest that if your CoS group decides to take action, that firstly this is done in conjunction with the asylum seeker themselves. **It is essential that you have the detainee's permission to take any action on their behalf.**

Then with other potential partners in your locality – any refugee support groups, faith organisations, community groups or other organisations with whom the asylum seeker may already have a relationship (e.g. their faith group).

Asylum seeker volunteer from a local City of Sanctuary group:

"I got huge support from people who called me and guided me about my medicine rights, human rights and comforted me from the everyday hassles. We really appreciated all the post cards and messages of support we had. It made us feel less alone and less afraid. We got bad service from our previous solicitor and needed to pass our documents to the new solicitor. We consented our power of attorney to a trusted volunteer who collected the file from our previous solicitor and passed it to the new solicitor. And from the next day our new solicitor started to work for us. One of the family from Yarl's Wood didn't get that opportunity and as a result they got deported. My friends also contacted other organisations who work for asylum seekers and they visited us routinely and topped up the balance of our pay as you go mobile. My friends bought some underwear for us which was so badly needed. Some people went to bed with an empty tummy but our friends provided some cash money for us."

Legal Support: Only legal action is likely to result in release from detention or prevention of removal. Contact the detainee's solicitor ASAP. If the detainee doesn't have a solicitor, they can ask the Detention Centre to provide them with a solicitor through the Detention Duty Advice Scheme and have the right to a 30 minute appointment in the first instance – but they must ask as soon as possible, not wait for an offer. [The AVID website](#) keeps an updated list of the legal aid firms contracted to give legal advice in the different detention centres. They could also contact [BIDUK](#) (Bail for Immigration Detainees) and they have a useful website with resources, information and fact sheets etc. Here is the link to their [Self Help Guide](#).

Getting legal assistance for the detainee one way or another must be the priority.

If the detainee has no right to legal aid, then they may need to seek one privately. CoS do not keep a list of recommended legal firms as representation can be inconsistent. We recommend finding this information from local partners (Red Cross Refugee Services, local advice centres). For private lawyers consider the [ILPA database](#) or check the [resources on the Right to Remain website](#) and be sure to check their record on the [Solicitors Regulation Authority](#) website.

If the detainee wishes you to speak to their solicitor or anyone else on their behalf, signed authority is normally required. For example:

Permission given by xx

I, (name) of (address) give authority to (name) of (address) to make any enquiries on my behalf in relation to my immigration and asylum status.

Name (Print):

Signature:

Date:

Certain people defined as “particularly vulnerable to harm” under the Home Office "Adults at Risk in Immigration Detention" [policy](#) should not be detained. These include those who are:

- suffering from a mental health condition or impairment (this may include more serious learning difficulties, psychiatric illness or clinical depression, depending on the nature and seriousness of the condition)having been a victim of torture
- having been a victim of sexual or gender based violence, including female genital mutilation
- having been a victim of human trafficking or modern slavery
- suffering from post-traumatic stress disorder (which may or may not be related to one of the above experiences)
- being pregnant
- suffering from a serious physical disability
- suffering from other serious physical health conditions or illnesses
- being aged 70 or over
- being a transsexual or intersex person.

In addition to the categories of *adults* at risk listed above, **unaccompanied minors** should also not be detained, apart from in exceptional circumstances (though sometimes children are wrongly detained by the Home Office, because the Home Office classify them as adults).

The trouble is the HO has a get-out clause - risks to the individual are balanced against immigration factors in all cases– but people should at least be encouraged to ask their solicitors to contest detentions that breach the above guidelines by requesting details of what immigration factors are thought to apply in their case.

[Medical Justice](#) can advise and support with applications to raise concerns with the Home Office and prompt a review of detention under [Rule 35](#).



Safeguarding: It is essential that you seek permission from the detainee before taking any action. Anonymity must be protected especially if anything goes on the internet as this could increase risks for the asylum seeker if they are eventually removed to their country of origin. Use of a first initial and blurring the country of origin can help to protect asylum seekers who may be at risk of being identified. Publicly available details of the case (for example if you choose to crowdfund for legal fees) must not be such that anonymity is compromised.

Healthcare: Detention Centres are notorious for delays in medication. Assure the detainee of their medical and healthcare rights and if there is any evidence of this being breached (delayed access to medications, a doctor or treatment) then the following can be contacted to investigate and help:

[Medical Justice](#)

[The Independent Monitoring Board](#)

[HM Inspectorate of Prisons](#) (They may not directly investigate individual incidents but it can be useful to inform them of your concerns as it will inform future inspections. They have been known to make a telephone enquiry which has resulted in effective change.)

Other solidarity actions:

Contacting the NASS Accommodation Provider and arranging to collect and take care of the asylum seeker's belongings left in their room. The things they own are at immediate risk as the accommodation providers will be instructed to empty and re-let their room. They are likely to only have the clothes they stand up in. In detention they can wear their own clothes but if they don't have any spares they are issued with prison style sweat shirts and pants. If you can access their possessions, their own clothes can be taken to them. There is a weight limit on what the Detention Centre will let them have (20kg). They will not be allowed certain things – e.g. radios. Check with the Detention Centre first. It's basically a prison – anything brought in will be checked. It is also useful for a friend/supporter to be prepared in advance, with a signed consent letter from the asylum seeker allowing that friend to access the housing.

Contact the local visitors group – They can visit, take in things that are needed and provide a point of contact as well as advice. [Association of Visitors to Detainees](#) have a list of visitors groups and useful information.

Contact [Bail for Immigration Detainees](#) if appropriate - BID provide legal advice and representation to migrants detained in removal centres and prisons to secure their release.

Solidarity letters / cards to raise morale: Providing the network of supporters with the name and full address (including HO Reference or CID number and room number) of the detention centre and encouraging them to send cards with messages of solidarity and hope can really help morale, keep detainees positive and connected to the outside world. Phone top ups is also something that supporters can easily do.

Contact the detainees' MP: This is likely to be more successful if the MP is already aware of the case. MPs can contact the Home Office directly and even meet with the Home Secretary or Immigration Minister if necessary. They can ask them to cancel or delay the removal / deportation while important legal actions are taken. Mobilising constituency supporters to contact the MP adds to the strength of the request. You can find your MP at <https://www.theyworkforyou.com/> if you know the postcode.

Organising a rota of visits: Remember to contact the Detention Centre and book all visitors in beforehand. Visitors will need photo ID. It is not advisable to take asylum seekers on visits as it can be very distressing for them, so they will need support to think it through carefully before committing to such a visit. Visiting someone who is being locked up indefinitely is tough. It can sometimes be very hard to know what to say as their hope begins to diminish over time. However, this is why it is so important to visit and provide solidarity. Those on the visitors' rota will need to be supported too. It is important to ensure opportunities for this group to meet and communicate with each other in order to provide mutual support.

Fundraising for legal fees: This is something that supporters and networks can do well, using crowdfunding sites such as [Go Fund Me](#). Legal Aid is available for asylum claims but sometimes a private lawyer can act quickly if needed. Please take advice on recommended private lawyers. In addition to possible legal fees, detainees will need help to top up their phone and this needs to be arranged with the Detention Centre. If the detainee is eventually removed, any leftover funds can be sent onto them in their country of origin to help them.

If the detainee is released: Accommodation will be found for them if they have applied for Asylum Support and are eligible but there is no guarantee they will be returned to their original locality and could be released into homelessness. Arrangements therefore have to be made to get their belongings (if any survive) to them wherever they are sent. In many cases asylum seekers will need friends or supporters to house them due to lack of eligibility or delays in receiving accommodation provided by the Home Office.

Being Prepared

Ideally asylum seekers and CoS supporters will already be prepared for detention, since asylum seekers are liable to detention at any time. For example, asylum seekers will already have:

- Designated someone to be their point of contact if they are detained.
- Discussed various matters with that person beforehand – notably their solicitor's name and phone no, which of their possessions they particularly want safeguarded and where they are kept, who they want contacted – and even (if possible) the details of someone back home to contact if they are removed.
- Keep the designated person's phone number and that of their solicitor somewhere safe (not just in their phone, since this will be removed from them) – preferably committed to memory, or written down and always when they are reporting to an Immigration Reporting Centre. Ideally the person should be someone who can be contacted at any time (many detentions take place on a Friday when people can't contact their solicitors or other agencies).
- Those without a current claim pending, are most at risk, and are advised to seek legal advice with the aim of submitting a claim or new application as soon as possible.