

**Immigration detainees held in prisons
BID bulletin for immigration detainees Number 25
March 2008**

In brief...

Who is this bulletin for?

This bulletin is for foreign nationals held in the UK under immigration powers in prisons. You should read this bulletin if your criminal sentence has finished and you are now being held as an immigration detainee. It may also be useful for individuals and organisations supporting migrants and asylum seekers detained in prisons.

What information will this bulletin give me?

This bulletin explains how to ask to be transferred to an immigration detention centre. It also explains your rights as an immigration detainee in prison and provides contact details for organisations that can help you if your rights are not respected.

Why am I detained in a prison even though my criminal sentence has ended?

If you have served a criminal sentence in prison the Home Office may try to deport you to your home country when your sentence has finished. If the Home Office is not able to deport you immediately, they may keep you in detention as an immigration detainee.

As an immigration detainee you will either be held in a detention centre (also called an 'Immigration Removal Centre') or in a prison. It is easier to communicate with people by telephone and by fax if you are detained in a detention centre. The Home Office says you should only be held in a prison if your criminal conviction or your behaviour in prison means that you cannot be held in a detention centre. Usually the Home Office says you should be detained in a prison if you are:

- a member of a terrorist group or you have been involved in terrorist activities
- you have completed a prison sentence of four years or more
- you have served a criminal sentence for importing Class A drugs, for committing a serious violent offence, or for committing a serious sexual offence requiring registration on the sex offenders' register

***Important note: please check that this bulletin is up to date before using it.
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Bail for Immigration Detainees (BID) is registered in England as a limited company number 3803669.
Registered address: 28 Commercial St, London, E1 6LS. Registered charity number 1077187.
Exempted by the OISC reference number N200100147

- you have escaped, tried to escape, planned an escape, or helped others to escape from police, prison or immigration custody
- you have been involved in or assisted others involved in serious disorder, arson, violence or damage

At the end of your criminal sentence, a part of the Home Office known as the Detention Escort and Population Management Unit (also called DEPMU) will decide whether you fall into one of these categories. DEPMU will decide whether you should remain in prison or be transferred to a detention centre.

How can I ask to be transferred from prison to a detention centre?

You can ask DEPMU to transfer you from prison to a detention centre. You can use the template letter attached to this bulletin to send to DEPMU with a copy to your caseworker at the Home Office. The name and contact details of the Home Office caseworker dealing with your case should be on your 'Monthly Detention Review' or your 'Reasons for Detention' form, also called an IS91R. If your request is turned down, DEPMU should give you written reasons for the decision.

Can I still apply for bail if I am detained in a prison?

Yes. You can apply to an immigration court for bail as long as your criminal sentence has finished and you are detained under immigration powers. You should apply for bail using a Bail Application Form (also called a B1 form) which you can request from the Foreign National Prisoner (FNP) Coordinator in your prison. You can also ask BID to send you one – our contact details are at the end of this bulletin.

In the prison library there should be a BID book called 'How to Get out of Detention'. You can also get this book from the FNP Coordinator. The book explains how to apply for bail. Before you send your B1 form to an immigration court, you can send it to BID and we will check that it is completed correctly. If you are not sure which immigration court to send your B1 form to, there is a list at the end of this bulletin. The list shows which immigration court hears bail applications from which prison. The immigration court is also called the Asylum and Immigration Tribunal or AIT.

Your bail hearing may be heard by video link. This means you stay at the prison and the immigration judge and the Home Office representative are in court. If you have a legal representative, an interpreter or any sureties they will also be in court. You will be connected to the court by a video camera. Contact BID for more information about video link bail hearings.

Can BID help me with my appeal against deportation?

BID cannot give advice on deportation appeals as our focus is on helping detainees apply for bail. You will need a lawyer to assist you with a

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deportation appeal. If you do not have a lawyer, you should contact the Community Legal Service helpline on 0845 345 4 345.

Who should I contact if I have a complaint about my treatment in prison?

The Prisoners Advice Service (PAS) www.prisonersadvice.org.uk is an independent charity. It is not part of the Home Office or the prison service. If you are held in a prison in England or Wales it can provide legal advice and information about your rights. PAS can help you to make a complaint about your treatment inside prison.

You can contact PAS at:
Prisoners Advice Service
PO Box 46199
London
EC1M 4XA
Telephone: 020 7253 3323 or 0845 430 8923
Fax: 020 7253 8067

The Detention Advice Service (DAS) www.detentionadvice.org.uk is an independent charity and is not part of the Home Office. It gives advice, support and information to those detained or threatened with detention. Unlike PAS, DAS works only with people in prisons detained under immigration laws.

You can contact DAS at:
Detention Advice Service
Unit B3, 62 Beechwood Road
London
E8 3DY
Telephone: 0207 254 6888
Fax: 0207 254 8555
Email: enquiries@detentionadvice.org.uk

You may want to contact a civil action lawyer if you have a complaint about the way you have been treated, for example if you have been assaulted by prison staff or held in segregation. BID can send you a list of civil action lawyers for you to contact – our contact details are at the end of this bulletin.

You can complain to the Prison and Probation Ombudsman. The Ombudsman is appointed by the Home Office and investigates complaints from prisoners and immigration detainees. The Ombudsman is independent of the prison service and the probation service. Before complaining to the Ombudsman you must first complain to the prison where you are being held. If you are unhappy with the response or you do not get a response within six weeks then you can complain to the Ombudsman.

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You can contact the Ombudsman at:
Prison and Probation Ombudsman
Ashley House
2 Monck Street
London
SW1P 2BQ
Telephone: 020 7035 2876 or 0845 010 7938 (lo-call)
Fax: 020 7035 2860
Email: mail@ppo.gsi.gov.uk

Who is BID and why has it produced this bulletin?

This bulletin has been written by an independent charity called Bail for Immigration Detainees (BID). BID is not part of the Home Office. BID works with asylum seekers and migrants in detention centres and prisons to help them get out of detention. We provide information and advice as well as assisting people to make their own bail applications. We are opposed to the use of detention for immigration purposes and we challenge the government about its detention policies.

Who can I contact for more information on this issue?

If you have questions concerning this bulletin or about securing your release from detention you can contact BID:

BID London
28 Commercial Street
London
E1 6LS
Telephone: 020 7247 3590
Fax: 020 7247 3550

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To
DEPMU
21-47 Feltham Green
High Street
Feltham
Middlesex
TW13 4AG
Telephone: 0208 8181301
Fax: 0208 8181387 or 0208 8181390

The date of this request.....

My name is.....

My nationality is.....

My date of birth is.....

My Home Office reference number is.....

My Prison Number is.....

I am detained at.....

My room number is.....

My sentence finished on and I would like to be released to * BIA supported accommodation / this address (* delete as appropriate):

If you are not willing to release me I would like you to consider my transfer to an immigration removal centre. I am disadvantaged in prison as I cannot communicate as easily with solicitors and I do not have the same rights as people in immigration removal centres. If you are not willing to transfer me please can you explain to me in full the reasons for your decision.

Yours faithfully,

..... **(NAME)**

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AIT contact details

For all AITs Customer Service: Tel: 08456 000 877 Fax: 0116 249 4130				
Birmingham AIT Fax. 0121 722 7935 2 nd Floor Sheldon Court 1 Wagon Lane Sheldon Birmingham B26 3DU	Newport AIT Fax. 01633 416 735 Columbus House Langstone Business Park Chepstow Road Newport NP18 2LX	North Shields AIT Fax. 0191 298 2247/48 Kings Court Royal Quays Earl Grey Way North Shields NE29 6AR	Stoke AIT Fax. 01782 200144 Bennett House Town Road Hanley Stoke on Trent ST1 2QB	Bradford AIT Fax. 01274 267 045 Phoenix House Rushton Avenue Thornbury Bradford BD3 7BH
Manchester AIT Fax. 0161 234 2035 3 rd Floor Aldine House New Bailey St Salford Manchester M3 5EU	Hatton Cross AIT Fax. 0208 831 3549 2-3 Dukes Green Avenue Feltham Middlesex TW14 0LR	Taylor House AIT Fax. 0207 862 4455 88 Roseberry Avenue London EC1R 4QU	Glasgow AIT Fax. 0141 242 7555 4 th Floor Eagle Building 215 Bothwell Street Glasgow Scotland G2 7EZ	Yarl's Wood AIT Fax. 01234 224411 Top of Twinwood Road Clapham Bedfordshire KM41 6HL

Immigration removal centre (IRC)/prison (HMP) and relevant AIT to fax bail application

IRCs	AIT	HMPs continued	AIT
Campsfield House	Newport	Glen Parva	Stoke
Dungavel	Glasgow	Gospport	Hatton Cross
Harmondsworth/ Colnbrook	Hatton Cross	Highdown (Sutton)	Hatton Cross
Haslar	Hatton Cross	High Point (Newmarket)	Taylor House
Lindholme	Bradford	Holm House (Tee-side)	North Shields
Oakington	Taylor House	Holloway	Taylor House
Tinsley House	Taylor House	Hull	Bradford
Yarl's Wood	Yarl's Wood	Isle of Wight (Camp Hill)	Hatton Cross
Yarl's Wood (family with minor or fast track)	Yarl's Wood	Kirklevington Grange	North Shields
HMPs		Lewes	Taylor House
Aberdeen	Glasgow	Lincoln	Stoke
Armley	Bradford	Liverpool	Manchester
Acklington	North Shields	Low Newton	North Shields
Aylesbury	Hatton cross	Littlehay	Stoke
Barlinnie	Glasgow	Lowdham	Stoke
Bedford	Stoke	Magillian	Glasgow
Belmarsh	Taylor House	Manchester	Manchester
Bovington	Hatton Cross	Norwich	Taylor House
Brixton	Taylor House	Parkhurst	Hatton Cross
Blakenhurst	Birmingham	Pentonville	Taylor House
Canterbury	Taylor House	Rochester	Taylor House
Corton Vale	Glasgow	Saughton	Glasgow
Craiginchie	Glasgow	Strangeways (Manchester)	Manchester
Deerbolt	North Shields	Styal	Manchester
Doncaster	Bradford	Walton	Manchester

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Dorchester	Newport		Wandsworth	Taylor House
Dover	Taylor House		Wayland HMP	Taylor House
Dovegate	Stoke		Parkhurst	Hatton Cross
Downview	Hatton Cross		Wellingborough	Stoke
Durham	North Shields		Winchester	Hatton Cross
Edmunds Hill	Taylor House		Winson Green (HMP Birm)	Birmingham
Elmley (Isle of Sheppey)	Taylor House		Wolds (Hull)	Bradford
Everthorpe (East Yorks)	Bradford		Woodhill (Milton Keynes)	Stoke
Forest Bank YOI	Manchester		Wormwood Scrubs	Hatton Cross
Fulsutton	North Shields			
Gateside	Glasgow			
Stocken	Stoke			

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