

DDVG Holds Ex-Detainee Conference



Graham Ralph (UKBA Southeast Regional Deputy Director) giving a speech to delegates at the conference

INSIDE THIS ISSUE:

DDVG Holds Ex-Detainee Conference	2
More DDVG News	3
The Early Removal System Explained	4
The Early Removal System Explained continued	5
What's in the News?	6
What's in the News continued?	7
Quick Word Search, Dates for your Diary and Quick Link	8

The eagerly anticipated Ex-Detainee Conference took place at Amnesty International Head Quarters on Thursday 9th June 2011 and was a great success. In the presence of a high turn-out of ex-detainees from all over the UK, speeches were given by representatives from *Refugee Action*, *UK Border Agency* and *DDVG* as well as from ex-detainees. After lunch, ex-detainees were invited to participate in workshops regarding medical support and getting into volunteering and/or education. Continued on **page 2**.

DDVG News

Training for volunteers is an integral part of the success of DDVG. In July this year, volunteers were given the opportunity to get involved in 'Listening and Responding Skills' training, aimed at improving their abilities in interacting with detainees.

It has unfortunately been recently announced that the Family Travel Reimbursement Project will no longer be available due to a lack of funding. Both stories continued on **page 3**.

DDVG Holds Ex-Detainee Conference

'Even more inspiring were the stories of ex-detainees supporting each other and even volunteering to help their local communities.'

Juliette Wales
(Ex-Detainee Project Manager, DDVG)



Delegates and speakers participating in the conference

'It was a steep learning curve preparing for the conference for me, but thankfully it went really well and all the feedback we received on the day was very positive.'

Christine Oliver
(Ex-Detainee Project Manager, DDVG)

This year's Ex-Detainee Conference highlighted the real struggle that ex-detainees face. The Conference was open by Miriam Wood, DDVG Chairperson, Vebi Kosumi, Director of DDVG spoke about the genesis and history of DDVG also about the work of The Ex detainee Project. Information on the reality of life for ex-detainees was provided by Michael Brown (*Refugee Action*), who detailed experiences of ex-detainees after leaving detention. Delegates were also able to hear authentic accounts from three ex-detainees; Openbiyi Awoborode explained his story regarding family struggle. Elinior Kato described a story of recovery since being released from detention and Clifton Cameron detailed how he has managed to overcome many obstacles to be where he is today.

The conference also gave delegates the opportunity to pose questions to Graham Ralph (*UKBA Southeast Regional Deputy Director*). Graham Ralph spoke with ex-detainees who wanted to explore their particular problems further during the lunch break.

After lunch, ex-detainees participated in two workshops; Livia Ottisova (*Doctors of the World*) gave information on medical support and entitlement for

ex-detainees, whilst Louise Zanre (*Jesuit Refugee Service*) gave information on using time to your advantage whilst in the asylum system. 95% of ex-detainees said they had learnt something from the workshops on feedback forms.

Mike Kaye, *Still Human Still Here* spoke about Chances for change for asylum seekers.

Ex-Detainee Project Manager, Christine Oliver, said of the event: *'The ex-detainees who spoke were very moving and gave a human perspective on how the system affects people...Of course, the whole day could not have happened were it not for the hard work of DDVG volunteers.'* Fellow Ex-Detainee Project Manager, Juliette Wales, added: *'We heard from many ex-detainees' experiences of homelessness, their desire to work and the difficulties surviving on Section 4 support and the subsequent mental strain.'*

100% of ex-detainees stated that the conference contributed to a better understanding of ex-detainees' problems and opportunities. One volunteer described the conference as a *'good platform for former detainees to voice their concerns.'*

Listening and Responding Skills Training

On 27th July 2011, DDVG provided training to volunteers in 'Listening and Responding Skills'. DDVG offers a variety of training opportunities so that volunteers are as equipped as possible for the practical and emotive demands of visiting detainees at the Dover Immigration Removal Centre. One of these volunteers, Gareth Hopkins, gives his take on the day:

'I attended the Listening and Responding training course with the hope of learning something new. It was interesting meeting fellow members of the DDVG, first getting to know one another before going on to discuss the different thoughts and fears we have when visiting detainees. This acted like an ice breaker and eased us into the course.'

The training itself was very interactive which made it more enjoyable, working in pairs and in groups, we practiced at listening and responding, gaining an insight into how it feels to be listened to and how it feels to not be listened to. It was at times very

amusing but the point being put across was clear.

It certainly helped build up a little confidence in me, as most of it was quite positive; therefore I definitely walked away from the course feeling like I had gained something.

For me, it has definitely brought a better understanding of the importance and actual effort needed to really listen to someone, and has made me more aware of the value that is felt by someone when they know that they have been listened to.'

If you are a DDVG volunteer and you are interested in taking part in training days, DDVG will be holding training on the reality of life after detention, mental health issues and asylum and immigration law in the coming months. Please see **page 8** for further details of dates and venues.

DDVG Family Travel Reimbursement Project Ends

It is with huge regret that due to a lack of funding, DDVG's Family Travel Reimbursement Project has had to come to an end. This is a project which paid for the travel expenses of detainees' families and friends (one time per detainee). Unfortunately, the money for this project has now run out and therefore the service is no longer available. DDVG will be looking into fundraising once again for this project but for now, fundraising efforts are being focused on the core services.

DDVG would like to make clear to its volunteers that it is only this project that has ended and volunteers' travel expenses will still be refunded for journeys made to and from the Dover Immigration Removal Centre. Please ensure that your detainee is aware of this change on your next visit.

The Early Removal Scheme Explained



Marketing World (<http://marketingworldmag.com/wp/new-airline-secures-licence-to-operate-domestic-flights-in-ghana.html>)

What?

The Early Removal Scheme (ERS) for foreign national prisoners (FNPs) came into force in July 2004. A foreign national prisoner is defined by the *Prisoners' Advice Service* as somebody 'in this country who is remanded or convicted for criminal charges and does not have an absolute legal right to live or remain in the UK.' Furthermore, 'if you have British citizenship you are not a foreign national...(and) people with dual nationality are treated as British.'

The fundamental idea behind the scheme is to allow FNPs to leave the UK before their sentence is finished. Initially, the maximum ERS period was set at 135 days but this was amended in 2008 to 270 days. This amendment has now made it possible for previously exempt prisoners to become eligible for the scheme. (<http://www.prisonersadvice.org.uk/info/infoforeignnat.html>)

According to *Home Office* statistics, in 2009, around 25% of all FNPs were deported prior to the end of their sentence under ERS. (<http://www.homeoffice.gov.uk/about-us/freedom-of-information/released-information/foi-archive-immigration/15085-ERS-and-FRS/?view=Standard&pubID=830739>)

Who?

Since the amendment in 2008, all FNPs serving determinate sentences of over three months are now eligible for consideration for ERS. However, there are some exemptions listed below:

- Prisoners who have to sign the sex offender register.
- Violent and sex offenders currently on an extended sentence.
- Prisoners who are serving a sentence for not returning after a Release on Temporary Licence.
- Prisoners in prison on a hospital order, hospital direction or transfer direction.
- Prisoners serving a sentence for not following a curfew order.
- Prisoners who have at any time been recalled to prison for not following the HDC curfew conditions.
- Prisoners who have, during their current sentence, been released on HDC or given early compassionate release and have been recalled to prison.
- Prisoners who have, at any time, been recalled to prison for committing an offence before the ‘at risk’ period of their sentence has ended.
- Prisoners who, at the point of sentencing, have less than 14 days left before the halfway point of their sentence.
- Prisoners who have not paid a fine or not done what the court has told them to (contempt of court).

If a FNP is not removed under the ERS, they will carry on with their sentence. (<http://www.prisonreformtrust.org.uk/Portals/0/Documents/PIB%20extract%20-%20Release%20and%20supervision.pdf>)

Governors are required to approve the removal of a FNP under the ERS unless they know of any ‘exceptional and compelling reasons to refuse.’ The kind of issues could include clear evidence that the prisoner is planning further crime; evidence of violence/threats of violence, in prison, on a number of occasions; dealing in class A drugs in custody; and other matters of similar gravity relating to public safety. (PSO6000—Parole, Release and Recall: *Chapter 9 Early Removal Scheme/Parole for those Liable to Deportation*, 2008)

Procedure

The decision to remove FNPs subject to **presumptive removal** consideration under ERS must be taken by an authorised governor on behalf of the Secretary of State. However, the Governing Governor can delegate the task to another operational manager within the establishment to authorise it so long as the area manager approves. Once a FNP has been identified as subject to removal from the UK, the Custody/Discipline office must calculate the ERS eligibility date which is determined by the length of the sentence. Where it is decided to remove the FNP under the ERS, the Pre-Release Team must liaise with the Immigration and Nationality Directorate (IND) to make the necessary removal arrangements and must advise the establishment of progress made. If a FNP is refused removal under ERS, they must be notified of this decision and given reasons why. The main aspects of the ERS procedure are given below:

- Process is to commence **13 weeks prior** to ERS eligibility date to establish if FNP is statutorily excluded or not.
- If FNP is not excluded, parole clerk is to issue form ERS3 to the IND for 7 weeks for a reply.
- Upon receipt of an IND response to ERS3, parole clerk to check if FNP can be removed.
- If FNP can be removed, ERS1 form to be completed and authorising governor to consider any exceptional/compelling circumstances which warrant refusal.
- When the authorising governor approves removal, FNP is to be notified using form ERS2 with a copy sent to the IND.

(PSO6000—Parole, Release and Recall: *Chapter 9 Early Removal Scheme/Parole for those Liable to Deportation*, 2008)

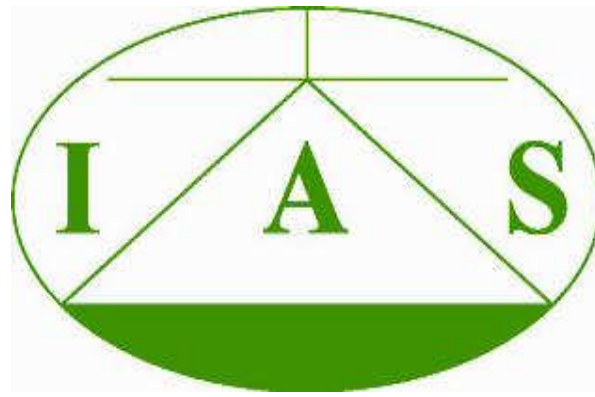
'The mark of a civilised society is how it treats its own vulnerable members...The government's legal aid proposals will leave many children, vulnerable people and hard-working families without any meaningful access to justice.'

Peter Lodder, QC, Chairman of the Bar Council
www.workpermit.com/news/2011-08-17/uk/immigration-advisory-service-closure-reminder-to-ias-clients.htm

'It is a very sad day for us all, and I would like to pay tribute to the staff who have worked diligently and professionally...and to reassure IAS's clients that everything possible is being done to protect their interests during this very difficult time.' **John Scampion, IAS Trustees' Chairman** (<http://www.bbc.co.uk/news/uk-14105065>)

What's in the News?

Immigration Advisory Service in Administration



In July this year, it was announced that the *Immigration Advisory Bureau (IAS)*, one of the leading charities in giving free immigration and asylum advice had gone into administration. The charity had existed for 35 years, employing some 300 staff in 14 different locations in England and Scotland. According to a *BBC News* article, the *IAS* had dealt with more than 24,000 cases from April 2009 until

March 2010, 14,462 of which were publicly funded immigration cases.

The *IAS* released a statement saying: *'The government's reforms include the removal of immigration from the scope of legal aid, and a 10% cut in legal aid fees for refugees seeking asylum within the UK. Immigration accounts for around 60% of IAS's income. There are few organisations that could cope with the compound effect of removal of immigration from the scope of legal aid and a cut in fees for asylum clients.'*

On top of government reforms on legal aid, it has been reported that the *IAS* could not come to an agreement with the *Legal Services Commission (LSC)* regarding the repayment of money that the *IAS* had claimed in error.

A spokesman for *LSC* stated the *LSC* has *'raised concerns around financial management and claims irregularities which prompted IAS trustees to conclude that the organisation was no longer financially viable.'* He added that the priority now is *'to work closely with IAS and the administrators to ensure clients of IAS continue to get the help they need, whilst safeguarding public money.'* (<http://www.bbc.co.uk/news/uk-14105065>)

Donna Covey, Chief Executive of the *Refugee Council* said of this news:

'We are alarmed to hear news that the largest charity providing legal advice and representation for asylum seekers has closed its 14 branches...Our clients already struggle to find good quality legal representation; this development will only add to their difficulties.' (<http://www.refugeecouncil.org.uk/news/archive/press/2011/july/20110711>)

End to Free Language Classes for Immigrants



Poultec (<http://www.poultec.co.uk/training-courses/maths-english-esol/esol/>)

Many would say that the key to the successful integration of immigrants is having the ability to speak the language of the host society. In July this year, *The Independent* reported how changes to benefit entitlement would mean that almost 80,000 people across England would lose the right to free English language classes. The changes mean that only people on 'active benefits' (Job Seekers Allowance/employment support allowance) would be entitled to full funding for ESOL (English for Speakers of Other Languages) courses. Those on 'inactive' benefits (Income support and housing benefits) or people on low incomes (asylum seekers and refugees) will be required to pay a minimum of 50% of the course fee. Asylum seekers comprised 9% of the 77,000 enrolments for free English classes in 2010 and will be badly affected by the new rules.

As well as stating the facts, *The Independent* provided readers with personal accounts of how the changes will affect those most vulnerable in society. Firstly, Zainab Duale, who relies on her husband's income and receives just over £92 per week in council-tax and housing benefits will not be eligible for free ESOL classes. She explains: *'I can't afford to pay hundreds of pounds for my course; it is too difficult for me—£300 is a lot of money if you don't work. If I lose my classes, I will never be able to get a job.'*

Furthermore, Yordanos Daniel, who is separated from her partner with a one year old child is ineligible for Jobseekers Allowance and has already been participating in language classes for 16 weeks in order to improve her English and get a job. She states: *'I keep thinking, what job is going to want me like this? I am worried about next year because I know I can't pay for courses. I don't know what I will do. It is unfair.'* (<http://www.independent.co.uk/news/uk/home-news/end-to-free-language-classes-for-immigrants-2329186.html>)

Donna Covey, Chief Executive of the *Refugee Council* expressed her view on the changes: *'If the government is serious about the Big Society and supporting some of the most excluded people to play a part then it must make sure every refugee who needs ESOL support can get it.'* (http://www.refugeecouncil.org.uk/news/archive/press/2011/july/180711_press_statement_gov_ignores_refugees_ESOL)

In response to the negative reactions to the changes, John Hayes, the Skills minister explained that he would be working alongside the *Department for Communities and Local Government* in order to develop 'new forms of support' but has not as yet made clear how much money will be committed to it. (<http://www.independent.co.uk/news/uk/home-news/end-to-free-language-classes-for-immigrants-2329186.html>)

Quick Word Search

P	X	L	A	J	U	T	X	Y	S	T	T	F	P	X
A	J	Q	C	U	B	H	K	M	F	E	S	L	Z	P
I	N	S	F	B	K	B	N	H	D	V	X	C	C	M
L	C	Z	Y	U	B	E	V	A	M	R	W	N	V	W
A	S	A	S	T	A	E	R	T	I	R	E	P	X	W
M	Z	D	E	M	F	V	S	A	I	R	W	M	Y	W
O	Q	Y	Y	A	G	F	K	A	D	B	E	L	F	B
S	P	T	C	F	H	N	J	I	R	A	Q	G	Z	P
H	X	A	L	T	A	X	Z	R	I	R	S	I	I	A
B	P	H	K	L	N	F	A	A	L	E	B	N	C	N
I	O	N	I	I	I	I	N	R	R	V	V	P	U	I
E	X	R	I	X	S	N	L	B	N	M	A	J	Q	H
K	S	O	H	S	T	T	I	O	A	L	O	H	A	C
R	F	N	U	F	A	A	A	Q	D	P	P	J	P	Z
Z	T	R	I	U	N	R	R	N	P	H	Y	U	W	G

Find the **Top 10** origins of asylum applications in 44 industrialised countries (2009-2010, *UNHCR*):

- AFGHANISTAN
- CHINA
- ERITREA
- IRAQ
- NIGERIA
- PAKISTAN
- RUSSIA
- SERBIA
- SOMALIA
- SRI LANKA

Complaints Against Solicitors

We are currently assisting a number of detainees at Dover IRC with complaints against solicitors. So far this advocacy has resulted in one particular firm changing its policy of how they follow up with clients after their first meeting. This was a result of insistence from our part that detainees were not being contacted by this firm in a timely manner. We encourage you to have a chat with your detainee and ask him if he is (or had) any problems with solicitors, even previous solicitors with whom they have now lost contact. It would be very helpful if you could take some notes about these issues and inform Victor Fiorini via email (victor@ddvg.org.uk).

Dates for your Diary

28/09/11 11-1am — Annual General Meeting (St Mary's Parish Hall, Dover)

15/10/11 10-1.30pm—Training on the reality of life after detention (University of Kent, Room TBC)

19/11/11 10-1.30pm—Training on Mental Health and Detention (DDVG Office)

21/01/12 10-1.30pm—Training on Asylum and Immigration Law (DDVG Office)

21/03/12 6.30-8pm — Talk by the Independent Monitoring Board (DDVG Office)

If you would like to attend an event, please e-mail: info@ddvg.org.uk or call 01304 242755

Quick Link

Follow this link to read about the experiences of *Refugee Council Birmingham* back in 2009 when they spent 10 hours in the centre of Birmingham with nothing more than £1 per person to spend in order to raise money and awareness about the destitution of asylum seekers. Certainly a very interesting read!

http://refugeecouncil.typepad.com/its_only_ten_hours/2009/06/it-was-only-ten-hours.html

DDVG Holds Ex-Detainee Conference



Graham Ralph (UKBA Southeast Regional Deputy Director) giving a speech to delegates at the conference

INSIDE THIS ISSUE:

DDVG Holds Ex-Detainee Conference	2
More DDVG News	3
The Early Removal System Explained	4
The Early Removal System Explained continued	5
What's in the News?	6
What's in the News continued?	7
Quick Word Search, Dates for your Diary and Quick Link	8

The eagerly anticipated Ex-Detainee Conference took place at Amnesty International Head Quarters on Thursday 9th June 2011 and was a great success. In the presence of a high turn-out of ex-detainees from all over the UK, speeches were given by representatives from *Refugee Action*, *UK Border Agency* and *DDVG* as well as from ex-detainees. After lunch, ex-detainees were invited to participate in workshops regarding medical support and getting into volunteering and/or education. Continued on **page 2**.

DDVG News

Training for volunteers is an integral part of the success of DDVG. In July this year, volunteers were given the opportunity to get involved in 'Listening and Responding Skills' training, aimed at improving their abilities in interacting with detainees.

It has unfortunately been recently announced that the Family Travel Reimbursement Project will no longer be available due to a lack of funding. Both stories continued on **page 3**.

DDVG Holds Ex-Detainee Conference

'Even more inspiring were the stories of ex-detainees supporting each other and even volunteering to help their local communities.'

Juliette Wales
(Ex-Detainee Project Manager, DDVG)



Delegates and speakers participating in the conference

'It was a steep learning curve preparing for the conference for me, but thankfully it went really well and all the feedback we received on the day was very positive.'

Christine Oliver
(Ex-Detainee Project Manager, DDVG)

This year's Ex-Detainee Conference highlighted the real struggle that ex-detainees face. The Conference was opened by Miriam Wood, DDVG Chairperson, Vebi Kosumi, Director of DDVG spoke about the genesis of DDVG and about the work of The Ex Detainee Project. Information on the reality of life for ex-detainees was provided by Michael Brown (*Refugee Action*), who detailed experiences of ex-detainees after leaving detention. Delegates were also able to hear authentic accounts from three ex-detainees; Openbiyi Awoborode explained his story regarding family struggle. Elinior Kato described a story of recovery since being released from detention and Clifton Cameron detailed how he has managed to overcome many obstacles to be where he is today.

The conference also gave delegates the opportunity to pose questions to Graham Ralph (*UKBA Southeast Regional Deputy Director*). Graham Ralph spoke with ex-detainees who wanted to explore their particular problems further during the lunch break.

After lunch, ex-detainees participated in two workshops; Livia Ottisova (*Doctors of the World*) gave information on medical support and entitlement for

ex-detainees, whilst Louise Zanre (*Jesuit Refugee Service*) gave information on using time to your advantage whilst in the asylum system. 95% of ex-detainees said they had learnt something from the workshops on feedback forms.

Mike Kaye, *Still Human Still Here* spoke about Chances for change for asylum seekers.

Ex-Detainee Project Manager, Christine Oliver, said of the event: *'The ex-detainees who spoke were very moving and gave a human perspective on how the system affects people...Of course, the whole day could not have happened were it not for the hard work of DDVG volunteers.'* Fellow Ex-Detainee Project Manager, Juliette Wales, added: *'We heard from many ex-detainees' experiences of homelessness, their desire to work and the difficulties surviving on Section 4 support and the subsequent mental strain.'*

100% of ex-detainees stated that the conference contributed to a better understanding of ex-detainees' problems and opportunities. One volunteer described the conference as a *'good platform for former detainees to voice their concerns.'*

Listening and Responding Skills Training

On 27th July 2011, DDVG provided training to volunteers in 'Listening and Responding Skills'. DDVG offers a variety of training opportunities so that volunteers are as equipped as possible for the practical and emotive demands of visiting detainees at the Dover Immigration Removal Centre. One of these volunteers, Gareth Hopkins, gives his take on the day:

'I attended the Listening and Responding training course with the hope of learning something new. It was interesting meeting fellow members of the DDVG, first getting to know one another before going on to discuss the different thoughts and fears we have when visiting detainees. This acted like an ice breaker and eased us into the course.'

The training itself was very interactive which made it more enjoyable, working in pairs and in groups, we practiced at listening and responding, gaining an insight into how it feels to be listened to and how it feels to not be listened to. It was at times very

amusing but the point being put across was clear.

It certainly helped build up a little confidence in me, as most of it was quite positive; therefore I definitely walked away from the course feeling like I had gained something.

For me, it has definitely brought a better understanding of the importance and actual effort needed to really listen to someone, and has made me more aware of the value that is felt by someone when they know that they have been listened to.'

If you are a DDVG volunteer and you are interested in taking part in training days, DDVG will be holding training on the reality of life after detention, mental health issues and asylum and immigration law in the coming months. Please see **page 8** for further details of dates and venues.

DDVG Family Travel Reimbursement Project Ends

It is with huge regret that due to a lack of funding, DDVG's Family Travel Reimbursement Project has had to come to an end. This is a project which paid for the travel expenses of detainees' families and friends (one time per detainee). Unfortunately, the money for this project has now run out and therefore the service is no longer available. DDVG will be looking into fundraising once again for this project but for now, fundraising efforts are being focused on the core services.

DDVG would like to make clear to its volunteers that it is only this project that has ended and volunteers' travel expenses will still be refunded for journeys made to and from the Dover Immigration Removal Centre. Please ensure that your detainee is aware of this change on your next visit.

The Early Removal Scheme Explained



Marketing World (<http://marketingworldmag.com/wp/new-airline-secures-licence-to-operate-domestic-flights-in-ghana.html>)

What?

The Early Removal Scheme (ERS) for foreign national prisoners (FNPs) came into force in July 2004. A foreign national prisoner is defined by the *Prisoners' Advice Service* as somebody 'in this country who is remanded or convicted for criminal charges and does not have an absolute legal right to live or remain in the UK.' Furthermore, 'if you have British citizenship you are not a foreign national...(and) people with dual nationality are treated as British.'

The fundamental idea behind the scheme is to allow FNPs to leave the UK before their sentence is finished. Initially, the maximum ERS period was set at 135 days but this was amended in 2008 to 270 days. This amendment has now made it possible for previously exempt prisoners to become eligible for the scheme. (<http://www.prisonersadvice.org.uk/info/infoforeignnat.html>)

According to *Home Office* statistics, in 2009, around 25% of all FNPs were deported prior to the end of their sentence under ERS. (<http://www.homeoffice.gov.uk/about-us/freedom-of-information/released-information/foi-archive-immigration/15085-ERS-and-FRS/?view=Standard&pubID=830739>)

Who?

Since the amendment in 2008, all FNPs serving determinate sentences of over three months are now eligible for consideration for ERS. However, there are some exemptions listed below:

- Prisoners who have to sign the sex offender register.
- Violent and sex offenders currently on an extended sentence.
- Prisoners who are serving a sentence for not returning after a Release on Temporary Licence.
- Prisoners in prison on a hospital order, hospital direction or transfer direction.
- Prisoners serving a sentence for not following a curfew order.
- Prisoners who have at any time been recalled to prison for not following the HDC curfew conditions.
- Prisoners who have, during their current sentence, been released on HDC or given early compassionate release and have been recalled to prison.
- Prisoners who have, at any time, been recalled to prison for committing an offence before the ‘at risk’ period of their sentence has ended.
- Prisoners who, at the point of sentencing, have less than 14 days left before the halfway point of their sentence.
- Prisoners who have not paid a fine or not done what the court has told them to (contempt of court).

If a FNP is not removed under the ERS, they will carry on with their sentence. (<http://www.prisonreformtrust.org.uk/Portals/0/Documents/PIB%20extract%20-%20Release%20and%20supervision.pdf>)

Governors are required to approve the removal of a FNP under the ERS unless they know of any ‘exceptional and compelling reasons to refuse.’ The kind of issues could include clear evidence that the prisoner is planning further crime; evidence of violence/threats of violence, in prison, on a number of occasions; dealing in class A drugs in custody; and other matters of similar gravity relating to public safety. (PSO6000—Parole, Release and Recall: *Chapter 9 Early Removal Scheme/Parole for those Liable to Deportation*, 2008)

Procedure

The decision to remove FNPs subject to **presumptive removal** consideration under ERS must be taken by an authorised governor on behalf of the Secretary of State. However, the Governing Governor can delegate the task to another operational manager within the establishment to authorise it so long as the area manager approves. Once a FNP has been identified as subject to removal from the UK, the Custody/Discipline office must calculate the ERS eligibility date which is determined by the length of the sentence. Where it is decided to remove the FNP under the ERS, the Pre-Release Team must liaise with the Immigration and Nationality Directorate (IND) to make the necessary removal arrangements and must advise the establishment of progress made. If a FNP is refused removal under ERS, they must be notified of this decision and given reasons why. The main aspects of the ERS procedure are given below:

- Process is to commence **13 weeks prior** to ERS eligibility date to establish if FNP is statutorily excluded or not.
- If FNP is not excluded, parole clerk is to issue form ERS3 to the IND for 7 weeks for a reply.
- Upon receipt of an IND response to ERS3, parole clerk to check if FNP can be removed.
- If FNP can be removed, ERS1 form to be completed and authorising governor to consider any exceptional/compelling circumstances which warrant refusal.
- When the authorising governor approves removal, FNP is to be notified using form ERS2 with a copy sent to the IND.

(PSO6000—Parole, Release and Recall: *Chapter 9 Early Removal Scheme/Parole for those Liable to Deportation*, 2008)

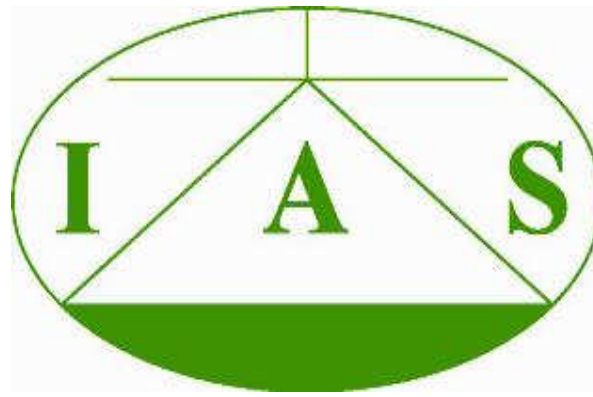
'The mark of a civilised society is how it treats its own vulnerable members...The government's legal aid proposals will leave many children, vulnerable people and hard-working families without any meaningful access to justice.'

Peter Lodder, QC, Chairman of the Bar Council
www.workpermit.com/news/2011-08-17/uk/immigration-advisory-service-closure-reminder-to-ias-clients.htm

'It is a very sad day for us all, and I would like to pay tribute to the staff who have worked diligently and professionally...and to reassure IAS's clients that everything possible is being done to protect their interests during this very difficult time.' **John Scampion, IAS Trustees' Chairman** (<http://www.bbc.co.uk/news/uk-14105065>)

What's in the News?

Immigration Advisory Service in Administration



In July this year, it was announced that the *Immigration Advisory Bureau (IAS)*, one of the leading charities in giving free immigration and asylum advice had gone into administration. The charity had existed for 35 years, employing some 300 staff in 14 different locations in England and Scotland. According to a *BBC News* article, the *IAS* had dealt with more than 24,000 cases from April 2009 until

March 2010, 14,462 of which were publicly funded immigration cases.

The *IAS* released a statement saying: *'The government's reforms include the removal of immigration from the scope of legal aid, and a 10% cut in legal aid fees for refugees seeking asylum within the UK. Immigration accounts for around 60% of IAS's income. There are few organisations that could cope with the compound effect of removal of immigration from the scope of legal aid and a cut in fees for asylum clients.'*

On top of government reforms on legal aid, it has been reported that the *IAS* could not come to an agreement with the *Legal Services Commission (LSC)* regarding the repayment of money that the *IAS* had claimed in error.

A spokesman for *LSC* stated the *LSC* has *'raised concerns around financial management and claims irregularities which prompted IAS trustees to conclude that the organisation was no longer financially viable.'* He added that the priority now is *'to work closely with IAS and the administrators to ensure clients of IAS continue to get the help they need, whilst safeguarding public money.'* (<http://www.bbc.co.uk/news/uk-14105065>)

Donna Covey, Chief Executive of the *Refugee Council* said of this news:

'We are alarmed to hear news that the largest charity providing legal advice and representation for asylum seekers has closed its 14 branches...Our clients already struggle to find good quality legal representation; this development will only add to their difficulties.' (<http://www.refugeecouncil.org.uk/news/archive/press/2011/july/20110711>)

End to Free Language Classes for Immigrants



Poultec (<http://www.poultec.co.uk/training-courses/maths-english-esol/esol/>)

Many would say that the key to the successful integration of immigrants is having the ability to speak the language of the host society. In July this year, *The Independent* reported how changes to benefit entitlement would mean that almost 80,000 people across England would lose the right to free English language classes. The changes mean that only people on 'active benefits' (Job Seekers Allowance/employment support allowance) would be entitled to full funding for ESOL (English for Speakers of Other Languages) courses. Those on 'inactive' benefits (Income support and housing benefits) or people on low incomes (asylum seekers and refugees) will be required to pay a minimum of 50% of the course fee. Asylum seekers comprised 9% of the 77,000 enrolments for free English classes in 2010 and will be badly affected by the new rules.

As well as stating the facts, *The Independent* provided readers with personal accounts of how the changes will affect those most vulnerable in society. Firstly, Zainab Duale, who relies on her husband's income and receives just over £92 per week in council-tax and housing benefits will not be eligible for free ESOL classes. She explains: *'I can't afford to pay hundreds of pounds for my course; it is too difficult for me—£300 is a lot of money if you don't work. If I lose my classes, I will never be able to get a job.'*

Furthermore, Yordanos Daniel, who is separated from her partner with a one year old child is ineligible for Jobseekers Allowance and has already been participating in language classes for 16 weeks in order to improve her English and get a job. She states: *'I keep thinking, what job is going to want me like this? I am worried about next year because I know I can't pay for courses. I don't know what I will do. It is unfair.'* (<http://www.independent.co.uk/news/uk/home-news/end-to-free-language-classes-for-immigrants-2329186.html>)

Donna Covey, Chief Executive of the *Refugee Council* expressed her view on the changes: *'If the government is serious about the Big Society and supporting some of the most excluded people to play a part then it must make sure every refugee who needs ESOL support can get it.'* (http://www.refugeecouncil.org.uk/news/archive/press/2011/july/180711_press_statement_gov_ignores_refugees_ESOL)

In response to the negative reactions to the changes, John Hayes, the Skills minister explained that he would be working alongside the *Department for Communities and Local Government* in order to develop 'new forms of support' but has not as yet made clear how much money will be committed to it. (<http://www.independent.co.uk/news/uk/home-news/end-to-free-language-classes-for-immigrants-2329186.html>)

Quick Word Search

P	X	L	A	J	U	T	X	Y	S	T	T	F	P	X
A	J	Q	C	U	B	H	K	M	F	E	S	L	Z	P
I	N	S	F	B	K	B	N	H	D	V	X	C	C	M
L	C	Z	Y	U	B	E	V	A	M	R	W	N	V	W
A	S	A	S	T	A	E	R	T	I	R	E	P	X	W
M	Z	D	E	M	F	V	S	A	I	R	W	M	Y	W
O	Q	Y	Y	A	G	F	K	A	D	B	E	L	F	B
S	P	T	C	F	H	N	J	I	R	A	Q	G	Z	P
H	X	A	L	T	A	X	Z	R	I	R	S	I	I	A
B	P	H	K	L	N	F	A	A	L	E	B	N	C	N
I	O	N	I	I	I	I	N	R	R	V	V	P	U	I
E	X	R	I	X	S	N	L	B	N	M	A	J	Q	H
K	S	O	H	S	T	T	I	O	A	L	O	H	A	C
R	F	N	U	F	A	A	A	Q	D	P	P	J	P	Z
Z	T	R	I	U	N	R	R	N	P	H	Y	U	W	G

Find the **Top 10** origins of asylum applications in 44 industrialised countries (2009-2010, *UNHCR*):

- AFGHANISTAN
- CHINA
- ERITREA
- IRAQ
- NIGERIA
- PAKISTAN
- RUSSIA
- SERBIA
- SOMALIA
- SRI LANKA

Complaints Against Solicitors

We are currently assisting a number of detainees at Dover IRC with complaints against solicitors. So far this advocacy has resulted in one particular firm changing its policy of how they follow up with clients after their first meeting. This was a result of insistence from our part that detainees were not being contacted by this firm in a timely manner. We encourage you to have a chat with your detainee and ask him if he is (or had) any problems with solicitors, even previous solicitors with whom they have now lost contact. It would be very helpful if you could take some notes about these issues and inform Victor Fiorini via email (victor@ddvg.org.uk).

Dates for your Diary

28/09/11 11-1am — Annual General Meeting (St Mary's Parish Hall, Dover)

15/10/11 10-1.30pm—Training on the reality of life after detention (University of Kent, Room TBC)

19/11/11 10-1.30pm—Training on Mental Health and Detention (DDVG Office)

21/01/12 10-1.30pm—Training on Asylum and Immigration Law (DDVG Office)

21/03/12 6.30-8pm — Talk by the Independent Monitoring Board (DDVG Office)

If you would like to attend an event, please e-mail: info@ddvg.org.uk or call 01304 242755

Quick Link

Follow this link to read about the experiences of *Refugee Council Birmingham* back in 2009 when they spent 10 hours in the centre of Birmingham with nothing more than £1 per person to spend in order to raise money and awareness about the destitution of asylum seekers. Certainly a very interesting read!

http://refugeecouncil.typepad.com/its_only_ten_hours/2009/06/it-was-only-ten-hours.html