

INFORMATION PACK

FOR ASYLUM-SEEKERS IN NORTHERN IRELAND WHO MAY BE DETAINED

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WHAT IS THE REFUGEE ACTION GROUP? WHO WE ARE

The Refugee Action Group (RAG) is a coalition of NGOs, voluntary sector organisations, refugees and individuals with an interest in refugee issues in Northern Ireland. The aim of the group is to be an independent voice advocating on asylum and refugee issues, and to be supportive to the refugee and asylum-seeking community in Northern Ireland.

In addition to individuals the group consists of representatives of the following organisations: Amnesty International NI, Belfast Islamic Centre, Centre for Global Education, Comhlámh NI, EMBRACE, Latinoamerica Unida, Law Centre NI, Multi-Cultural Resource Centre, NIACRO, NI Co-Op, Northern Ireland Committee for Refugees and Asylum Seekers (NICRAS), World Federation of Methodist & United Church Women (WFM&UCW).

Contact: www.refugeeactiongroup.com

ABOUT THIS INFORMATION PACK

Are you seeking asylum in Northern Ireland?

Are you 'liable to detention'?

If the answer is yes, then this Information Pack can help you.

It is not a campaign document.

It is about your rights and entitlements.

It includes information that you may need if you are detained in the UK.

It gives details of organisations that can provide support and assistance.

It tells you about:

- Your right to liberty
- Your right to legal advice and support
- How to be prepared
- Your health care rights

The Information Pack includes:-

- Useful contacts in Northern Ireland
- Useful contacts if you are detained in England or Scotland
- A letter for your GP
- A letter to ask for legal representation in detention

The Right to Liberty is a basic human right.

"No one shall be subjected to arbitrary arrest, detention or exile."

- Article 9, the Universal Declaration of Human Rights

In all cases detention must be used sparingly, and for the shortest period necessary... All reasonable alternatives to detention must be considered before detention is authorised.

*Home Office Enforcement Instructions and Guidance,
Chapter 55, revised March 2008*

Northern Ireland

Following a campaign by Refugee Action Group and others, asylum seekers are no longer held in prison in Northern Ireland unless suspected of a crime. Since 2006 immigration detainees have been sent directly to removal centres in Great Britain.

"Individuals who are detained in Northern Ireland are moved on the day of detention, or within 24 hours, to a removal centre in Great Britain. Initial detention will be in a police cell until transport arrangements for the transfer are in place..."

Detainees should normally only spend one night in police cells, with a normal maximum of two nights. In exceptional cases, a detainee may spend up to 5 nights continuously in a police cell (7 nights if removal directions have been set for within 48 hours) if, for instance, he is awaiting transfer to more suitable IS or Prison Service accommodation and the police are content to maintain detention."

*- Home Office Enforcement Instructions and Guidance,
Chapter 55, revised March 2008*

Your right to know why you are being detained

"Every detained person will be provided, by the Secretary of State, with written reasons for his detention at the time of his initial detention, and thereafter monthly."

- Rule 9 of the Detention Centre Rules 2001, SI 2001/238

Your right to legal advice and support

"The fundamental importance of the right of unimpeded access to legal advice and unimpeded access to the courts by those who are detained by the State has been emphasised on numerous occasions in recent years by the House of Lords"

- Mr Justice Munby, Karas and Anor, R (on the application of) v SSHD

"Article 17. Detained asylum seekers should have the right to contact a legal counsellor or a lawyer and to benefit from their assistance.

Article 18. Asylum seekers should be allowed to contact and, wherever possible, receive visits from relatives, friends, social and religious counsellors, non-governmental organisations active in the field of human rights or in the protection of refugees or asylum seekers, and to establish communication with the outside world."

- Council of Europe, Committee of Ministers, Recommendation Rec(2003)5

BE PREPARED

You may be detained suddenly. You may feel very shocked and nervous if this happens, so it is important to be prepared in advance.

IT IS VERY IMPORTANT THAT YOU:

Keep personal papers with you at all times including:

- Your full name
- Date of Birth
- Home Office Reference Number
- Home Office Port Reference Number (BFS/...)
- Passport (if you have one)
- The same details for your family members
- Phone numbers*:
 - Your solicitor (including any emergency numbers)
 - GP
 - MP
 - Friends/ support group/ campaign group.

**Your phone may be taken away when you are detained. It is very important that you write down important phone numbers as well as keeping them in your phone.*

USE THE ATTACHED FORM TO KEEP THESE DETAILS.

- Keep all your legal papers together, including all letters from the Home Office. It is your right to have copies of all letters about your case. Make sure that your solicitor has given you all letters from the Home Office. Leave one copy of your legal papers with someone who can be contacted easily if you are detained. Keep another copy near your front door or, if you are homeless, keep it with you at all times.
- Go with someone when you are reporting to a Home Office Centre or Police Station. They can then phone other people, including your solicitor, to let them know if you are detained. If someone cannot be with you, then let someone know that you are going to report and tell them to let others know if you have not called them by an agreed time.

Northern Ireland Community for Refugees and Asylum-Seekers (NICRAS) may be able to arrange for a volunteer to accompany you when you report (see 'Contacts here').

YOUR BELONGINGS

Leave a letter with a friend or an organisation giving the name and contact details of a person who would be willing to remove your belongings from your house and keep them safe for you until other arrangements can be made. NICRAS may be able to help with this.

PERSONAL DETAILS

Full Name: _____

Date of Birth: _____

Home Office Reference Number: _____
(e.g. A1357958)

Home Office Port Reference Number: _____
(e.g. BFS/0089)

Passport Number: _____

Solicitor's name and address: _____

Solicitor's phone number: _____

GP's name and address: _____

GP's phone number: _____

MP name and number: _____

Other important phone numbers: _____
(e.g. friend, support group, campaign group) _____

YOUR HEALTH

Those suffering from serious medical conditions, the mentally ill, people who have been tortured and have independent evidence of this, people with serious disabilities should be detained 'only in very exceptional circumstances'.

- Home Office Enforcement Instructions and Guidance, 55.16

KEEP THIS INFORMATION WITH YOU

- For you or for each member of your family who is with you, keep a list of:
 - Your medication.
 - Your medical history: a list of chronic illnesses, recurrent illnesses or anything significant in the past e.g. surgery, PTSD, tumour, depression etc.
 - Vaccination history if you or your children have had injections in Northern Ireland.
- Keep the "Red Book" for your babies and children.

You can use the attached letter to ask your GP for your medical documents. If you are on regular medication, always have at least 1 week's supply available.

WHEN YOU ARE IN THE DETENTION CENTRE

- You have the right to see a nurse or a doctor if you are unwell.
- Ask to see the medical team if you are unwell or if you need more medication. Bring your medical documents to your appointment in the medical centre.
- Ask about travel vaccinations. If you are from a country where malaria is common you should get malaria tablets before travelling. This is particularly important for children.
- When taken into detention anxiety, fear, poor sleep and feelings of despair are normal. If you feel unable to cope with the feelings you are experiencing, seek help from the detention centre clinic or from outside (see 'Detention: contacts')

See 'Contacts':

- Medical Justice provides independent medical advice. They can help provide medical evidence, deal with cases of self-harm or of assault and lack of medical care in detention.
- The Helen Bamber Foundation is a collective of human rights specialists who respond with compassion and creativity to a legacy of cruelty.
- The Medical Foundation for the Care of Victims of Torture provides care and rehabilitation to survivors of torture and other forms of organised violence.

RE: My Name: _____

My Date of Birth: _____

Dear GP

Please could I have a copy of:

- my patient summary
- a list of my regular medications
- any vaccinations I have had in Northern Ireland

I am asking for this because I may be moved to another part of the UK at very short notice and it would be of use to medical staff if I could bring a copy of this information.

I understand that normally GPs need to charge for such letters. However, I am not permitted to work under government regulations and I have limited means. I should be grateful in these circumstances if you would waive your charge.

I have also been advised to keep one week's supply of medication with me. If you have no medical concerns I may ask for my next prescription one week early to facilitate this.

Thank you for your help

Signed: _____

LOCAL CONTACTS

Bryson One Stop Service For Asylum-Seekers (028) 9043 9226
 9 Lower Crescent, Belfast, BT7 1NR Fax: (028) 9032 9539
 24-hour emergency contact (028) 9024 2025

Children's Law Centre (028) 9024 5704
 CHALKY free-phone for children and young people 0808 808 5678
 Website www.childrenslawcentre.org

Law Centre (NI) (028) 9024 4401
 124 Donegall Street, Belfast BT1 2GY Fax: (028) 9023 6340
 Website www.lawcentreni.org

Multi-Cultural Resource Centre (028) 9024 4639
 9 Lower Crescent, Belfast, BT7 1NR Fax: (028) 9032 9581
 Email info@mrcr-ni.org
 Website www.mrcr-ni.org

Northern Ireland Community for Refugees and Asylum Seekers (NICRAS) (028) 9024 6699
 Email nicras@hotmail.co.uk

Northern Ireland Human Rights Commission (028) 9024 3987
 Temple Court, 39 North Street, Belfast BT1 1NA Fax: (028) 9024 7844
 Website www.nihrc.org

Refugee Action Group (RAG)
 Website www.refugeeactiongroup.com

Your MP

Find out who your MP is by telephoning 020 7219 4272. Give them your address before you were detained and/or the address of the detention centre if you are detained.

Where an MP considers that new and compelling information has emerged, they may contact the Border and Immigration Agency (BIA) or the Minister's Private Office directly. Your MP can phone the MP's hotline from Monday to Friday 0900 to 1800 hours and OSCU between 1800 and 2100 hours on weekdays and on the weekends and public holidays. Outside these hours, they will be referred to the Command and Control Unit which is open 24 hours a day 365 days a year.

- Home Office Enforcement Instructions and Guidance, Chapter 59, MPs Representations, revised March 2008.

DETENTION CONTACTS

GENERAL

These are not local organisations:

Joint Council for the Welfare of Immigrants	020 7251 8708
Refugee Council	020 7346 6700
UNHCR UK Section	020 7759 8090

SCOTLAND

Scottish Refugee Council	0845 085 6087
The Unity Centre	0141 427 7992

VISITORS/ BEFRIENDERS IN DETENTION CENTRES

Visitors groups can visit and support you in detention.

ASSOCIATION OF VISITORS TO IMMIGRATION DETAINEES (AVID)	01883 717275
Yarls Wood Befrienders	01234 781 791
Scottish Detainees Visiting Scheme	0141 248 9799

MEDICAL

Your GP

Medical Justice (referral form and information)	www.medicaljustice.org.uk
Helen Bamber Foundation	020 7631 4492
Medical Foundation for the Care of Victims of Torture	020 7697 7777

FIGHTING DEPORTATION

NCADC – National Coalition of Anti Deportation Campaign:

North / West England	07703 189665
South/Midlands	0121 554 6947

BAIL/ RIGHT TO LIBERTY

Bail for Immigration Detainees (BID)	020 7247 3590
Website	www.biduk.org

BID has produced a notebook which tells you how you can get released from detention. It is available on their website at www.biduk.org.

United Nations Working Group on Arbitrary Detention:

If your detention is arbitrary, contact the Working Group to launch an urgent appeal on humanitarian grounds. Send this by fax to 00 41 22 9179006, or by electronic mail to: webadmin.hchr@unog.ch

YOUR RIGHT TO LEGAL REPRESENTATION.

Refugee Action Group cannot help you to obtain legal representation in England or Scotland.

- In the English detention centres, legal representation is usually provided face-to-face under the Duty Detention Advice Scheme. This is funded by the Legal Services Commission ("legal aid"). Ask detention centre staff where to sign up.
- In Haslar and Lindholme detention centres, contact with a legal representative is arranged by telephone. Ask detention centre staff where to sign up.
- In Dungavel detention centre, you can get information about legal representation from the Education Room or from the Library.

If you need help with getting a legal representative, you can contact:

- | | |
|--|---------------|
| • Law Society, England | 0870 606 2555 |
| • Law Society, Scotland | 0131 226 7411 |
| • Office for the Immigration Services Commissioner | 020 7211 1500 |
| • Legal Services Commission
(in England, if you are refused assistance for funding reasons) | 0845 345 4345 |

Refugee Action Group may be able to support you to make a complaint if you are not given access to a legal representative.

YOU CAN USE THE FOLLOWING LETTER TO ASK FOR LEGAL REPRESENTATION.

LETTER TO ASK FOR LEGAL REPRESENTATION

RE: My Name: _____

My Date of Birth: _____

I need legal representation:

to help me with my immigration/ human rights case

to make a bail application for my release from detention

If you are unable to take on my immigration/ bail case, please provide me with written reasons explaining why.

Signed: _____

"Amnesty has come across many people who have experienced persecution in their country of origin, only to claim asylum in Northern Ireland and be detained. Seeking asylum is not a crime. It is a right. This is an essential guide to claiming that right and should prove invaluable to those seeking asylum here and facing the prospect of detention."

- Patrick Corrigan, Programme Director, Amnesty International Northern Ireland

"Being detained was an awful time in my life. I have a child here and I was thinking about being sent back having been in this country for thirteen years. The worst thing was not knowing my fate. I didn't know what tomorrow was hiding from me."

- "J", Egyptian man detained in Scotland and later granted leave to remain in Northern Ireland.

"When I was seeking asylum, I felt very scared and thought that immigration could send me back home. I kept thinking every day that I didn't know what their decision would be like. I think this document telling asylum-seekers about their rights is helpful."

- "J", Nigerian woman granted indefinite leave to remain.

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The Refugee Action Group would like to thank all the volunteers who were involved in making this information document become a reality, in particular Alan Perry for the design work.

