



Charity no. 1120185

Patron: Professor John Fitzpatrick OBE

Kent Law Clinic

## Annual Report 2013 – 14

**Kent Refugee Help** is a small, user-led charity working for the release and support of migrants currently or previously detained in Dover Immigration Removal Centre (DIRC), and detainees held in Kent and London prisons. Our activities are based on the belief that indefinite detention of any person for administrative purposes is discriminatory and unjust, and must be challenged. Our case-workers assist bail applications by helping detainees to find sureties and supporting family and friends to travel to court. An important feature of our work is the continuing support we offer former detainees and their families following their release into the community.

During the year 2013 – 2014 KRH has continued direct case-work with detainees and former detainees, including financial support for educational and vocational qualifications. KRH has also continued to work closely with the Kent Law Clinic. We have organised information and training sessions, recruited and trained volunteers, and recruited and supported sureties.

**Ruhul , former detainee and KRH supporter**



### **KRH Personnel**

**Case-workers:** Kate Adams (volunteer), Pete Keenan

**Administrative Support:** Lesley Grove of Accuracy Accounts and Alexia Padgham of Your VA

**Trustees:** Sue Powell, Chris Perks, Ewen Macmillan, Lyn Innes

**Volunteers:** Hakki Aganoglu, Matthew Bodycombe, Frances Radiguet, Katherine Ranharter.  
Also essential support from Sureties, present and former detainees.

KRH continues to enjoy the support of the Kent Law Clinic.

Catherine Carpenter, John Fitzpatrick, and the Clinic's Immigration Law Lecturer, Sheona York, with the student Immigration and Asylum Team, generously shared their time and their legal knowledge with our case-workers, volunteers and clients. Their help has been invaluable for men detained in Dover and after their release.

We have also received crucial assistance from several volunteers: These include Hakki Aganoglu, who has given considerable time to developing and administering the KRH website with Kate Adams. Our caseworkers have been given valuable support by Frances Radiguet, Matt Bodycombe, and Katherine Ranharter.

During the past year, we have had quarterly meetings with the management of the Dover Immigration Removal Centre (DIRC). These meetings have proved informative (for both sides), and cooperative. Under the new welfare team, encouraging advances have been made and new courses in Barbering, Horticulture, Catering and Bee-Keeping are being introduced. KRH has supplied DIRC with posters in four languages (English, Arabic, Urdu and Farsi), advertising our existence and also the establishment of a phone helpline attended by Kate Adams.

### **Finance and Funding**

We have now received the final instalment of a 3-year grant from **The LankellyChase Foundation**. This grant has covered our core costs, and enabled us to draw on other (unrestricted) funds to meet some of the many needs of our clients, both detained and released.

There were successful new applications to **The Yapp Trust** (2 years) and the **Allen Lane Foundation** (2 years), both of whom have supported us in the past. We are extremely grateful for this demonstration of belief in the work of KRH. We also received, for the first time, a 3-year grant from **The Henry Smith Foundation**. These three grants allow us to maintain our core casework.

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Funding for KRH, as for other small NGOs, has become increasingly difficult to obtain. Government cuts mean that more organizations are seeking funds, and ours is not a popular cause. Each application takes time, resources and energy from our main work, and many of the applications we have made to Trusts and Foundations have been refused.

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#### **Eddie Barns Memorial Fund**

In February, 2013 we reported the sad loss, of our first caseworker, **Eddie Barns**, who had worked with KRH for several years. We held a party last June to celebrate Eddie's life and work and to launch a fund in his memory. It was a joyful occasion, bringing together people from the varied areas of Eddie's life, including his time as a Labour Councillor in Hackney and founding member of the Hackney Migrant Centre. The fund is still open for donations and standing orders are particularly welcome.



During the past year the fund has provided:

- Travel from London to Stockton-on-Tees to reunite a fiancée with her partner
- A laptop computer for a nursing student
- A second-hand bicycle for an ex-detainee in Cardiff
- A winter coat for a man released during a cold spell with only one bag of clothes

#### **Casework Report 2013-14**

Overall referrals are slightly below last year's figures, partly because a rolling programme of renovation at the DIRC has kept inmate numbers considerably lower than usual. (However, with the completion of the renovations DIRC's numbers will increase to over 400 men). The loss of the BID monthly workshops, from which in the past we gained a good proportion of referrals, also account for the lower figures. The benefit has been that more casework time can be spent on assisting ex-detainees.

Total number of referrals	53
Total men released with our help	19
Released with surety	11
Released no surety allocated	2
Released voluntary return	1
Released granted leave to remain	1
Released Temporary Admission	4
Removed	4
Unlawful Detention Compensation award	1

During the year, casework has been given valuable support by three volunteers: Frances Radiguet, Matt Bodycombe, and Katherine Ranharter. We thank them all for their important contribution to our work.

*Katherine writes, 'Volunteering with Kent Refugee Help provided me with new insight into the asylum system and the practical side of case work. Through visiting the Dover Immigration removal Centre and supporting the case work, I had the chance to learn about the personal story behind each detainee supported by KRH, and to witness the different solutions found for every individual case. Furthermore I greatly enhanced my knowledge ... of developments in the detention sector locally as well as nationally; and I also learned a lot by seeing how KRH administratively managed a substantive amount of caseload as a reasonably small organisation. . . . I was very impressed by the workload achieved by the small team and by the passion with which the work was done in difficult situations (which could in turn be seen reflected by the gratitude of some of the detainees and ex-detainees supported by KRH).'*

KRH continues to be represented at meetings of Detention Forum, an alliance of other Refugee NGOs, campaigning to highlight the injustices of the current system and treatment of asylum seekers. Its Judicial Oversight working group has achieved some success in making Bail hearings more accountable.

We also acknowledge the considerable support we have received from ASAP (Asylum Support Appeals Project) who have successfully intervened on behalf of some of our most vulnerable clients.

We continue our mutually supportive working relationship with Samphire (formerly DDVG) and their staff. Our membership of APEK (Advice Partnership for East Kent) allows us to spread awareness of DIRC detainees and locate useful support agencies.

Finally, the commitment of sureties to those they befriend and support continues to be inspirational, as does the courage, fortitude and generosity of spirit of the detainees and ex-detainees we work with.

### Refugees in Prison

The recent Immigration Act brings immigration officers unprecedented powers of arrest and stop and search as well as new measures to deport foreign nationals whilst they still have appeals pending. Moreover there is currently a policy that 1000 beds for immigration detainees in the prison system must be filled before detainees can be transferred to an Immigration Removal Centre (IRC). Kent Refugee Help has directly experienced the impact of this policy when clients released on bail have been convicted and re-detained for minor offences such as petty theft. They continued to be held in prison long after completion of their sentences. Immigration detainees in prison have no access to a mobile phone and there is no duty legal advice service; nor do they have access to the Rule 35 procedure which allows detainees in IRCs to register torture or serious illness and so argue for their release. Its absence in prison results in the appalling prospect, for those who have suffered torture, of indefinite imprisonment in an alien land without access to anyone who speaks their language, or to specialist medical treatment.

KRH has worked with BID and Leigh Day & Co Solicitors to achieve the release of two such prison detainees, one on hunger strike and the other suffering serious mental health issues. We are supporting a third man with deep roots in the UK, including a wide family network, to fight deportation to Somalia.

New funding has been approved for **KRH to embark on a pilot project to assist foreign national ex-offenders** held in these difficult circumstances in Kent and London prisons. We hope to recruit bail sureties to support release and provide aftercare (within limited resources) to prevent reoffending.

### Legal Aid

KRH joined Justice Alliance in the national campaign against the devastating cuts to both criminal and civil legal aid outlined in the Bill, *Transforming Legal Aid 2013*.





We have supported many of the London demonstrations, and organised with the Kent Law Clinic a local public meeting to raise awareness. We also made representations to MP Julian Brazier. KRH participated in a seminar, 'Save Legal Aid', organised by the Critical Law Society at the University of Kent.

### Criminal Legal Aid

KRH linked up with students from the Critical Law Society and community activists to support Criminal solicitors taking industrial action outside Canterbury Magistrates' Court on April 1<sup>st</sup>. Many of our clients are foreign nationals who have been criminalised by the immigration system for using false documents to flee from persecution or in order to work so as to avoid destitution. Due to an 8.5% cut in fees imposed by the Ministry of Justice (MOJ), small firms providing expert criminal defence to vulnerable people fear they will be forced to close. The concern is that there will be more miscarriages of Justice. A recent high profile court case was stayed on the grounds that the defendants could not access representation, and although this

was later quashed on appeal by the government, judges expressed that future indictments might be stayed and they accepted that *'skilled advocates were necessary to enable the justice system to function.'*

### Civil Legal Aid

Equally worrying are the MOJ's proposals to limit access to **Judicial Review (JR)** by proposing that lawyers should be paid only if they are granted permission to proceed with a JR or if the case is settled. A report by the Joint Committee on Human Rights says that this effectively imposes a no win fee system with the consequence that many people will not have access to JR. Those affected will include asylum seekers challenging removal from the country or challenging refusal to provide asylum or Social Services support. The planned **Residence Test** will deny legal aid for housing, immigration and family law to those who cannot prove they have been in the UK lawfully for 12 months.

It is vital that the campaign to save legal aid continues.

### Public and Social Events

In October there was a **book launch** in London of an anthology, *Protest: 150 Poems for Human Rights*, which included 2 poems by Kate Adams and information about KRH. Additionally, Alia Kawalit organised a publicity event for the book at the University of Kent in February, 2014. Kate's reading of her poems on that occasion was very well received.

We were joined by many ex-detainees, sureties and friends of KRH for a **Christmas/Winter Solstice Social Event** on December 21<sup>st</sup> at Sue Powell's house in Wye.

Kate Adams organised a **public training event** on the effects of legal aid and welfare cuts. It was held on November 9 in Canterbury. A large audience representing a spectrum of groups and ages heard and discussed very informative and powerful talks by Sheona York, Rhona Friedman, Brahim and Kate.

In March Tom Perez of *Football Beyond Borders* (FBB) and KRH organised a **football match** in Regents Park involving asylum seekers and refugees as well as players from the SOAS team. It was a strenuous and exciting match, followed by lunch provided by Falafel al-Hooriya, a food stall run by Palestinian footballer Mahmoud Sarsak and his wife Victoria



Zana, another ex-detainee supported by KRH, texted: ' hi Pete, it was great day n great team they were really nice i have enjoyed it, i really want to see them again, Tom was a nice guy, great hospitality.

Nouni, a former asylum seeker from Western Sahara, supported by KRH, wrote: *'Playing in the match made us feel more welcome in London and gave us the chance to connect with people through football and eating together. It was a great day and we all had fun—we really appreciate the support from FBB and it was great to meet so many friendly people!'*

### Looking Forward

We intend to continue with our core activities of casework with detainees and former detainees as well as extending our activities to include detainees in Kent and London prisons. In the context of increasing numbers in the DIRC and in prisons, the cuts in legal aid and welfare, the antagonism to 'immigrants' and the rush to appease voters by making scapegoats of migrants, we realise that our work will be both more challenging and even more necessary. We will need the support and encouragement of all volunteers and well-wishers in seeking additional funds, and in creating better public awareness of issues surrounding refugees and asylum seekers.

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