

The experience of reporting to the Home Office among those refused asylum

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Summary

Many people subject to immigration control in the UK are required to report in person to the Home Office regularly, often for years. People with ongoing asylum claims, those refused asylum, and people released from detention are among those routinely required to report, as a condition of immigration bail. Reporting can require travelling long distances and queuing outside for hours. It is emotionally traumatic and physically gruelling. When reporting, one may be detained without warning and with no legal advisor present. Immigration detention is a purely administrative process in the UK. At the time of writing, the requirement to report has begun to be imposed again, having been paused for several months due to COVID-19.

About JRS UK

The Jesuit Refugee Service (JRS) is an international Catholic organisation, at work in 50 countries around the world with a mission to accompany, serve and advocate on behalf of refugees and other forcibly displaced persons. JRS in the UK has a special ministry to those who find themselves destitute as a consequence of government policies and those detained for the administration of immigration procedures. JRS UK runs a day centre, activities, hosting scheme (*At Home*), and legal advice project for destitute asylum seekers, most of whom are pursuing fresh claims, and destitute newly recognised refugees; and detention outreach services to Heathrow IRC.

Background to this briefing

A large majority of those supported by JRS UK outside of immigration detention are subject to reporting conditions, of varying frequencies. This briefing draws on 32 semi-structured interviews with destitute asylum seekers with experience of reporting complemented by our organisational experience.ⁱⁱ

What does reporting involve?

Reporting conditions have for some time been imposed by the UK government on asylum seekers and other migrants, including on large numbers living in Home Office accommodation. In September 2019, 76.4% of migrants without leave to remain or visas and subject to restrictions on account of their immigration status were required to report.ⁱⁱⁱ It should be borne in mind that many not required to report may be young children.^{iv} People often have to report over a period of many years.

Michael has been reporting for nearly 13 years, since he first claimed asylum. Prior to the pausing of reporting requirements over lockdown, he reported once every four weeks. The distance he has had to travel has varied over the years, but it always takes at least two hours to get to the reporting centre. He is destitute, but receives no money from the Home Office to pay for travel. Michael is on medication that must be taken with food. The day he goes to report, he is often unable to take it as he must leave early in the morning. Reporting is so stressful that the experience itself is bad for his physical health. On one occasion of reporting, his blood pressure went so high he became worried he would have a stroke.

Those obliged to report must sign in at a designated Home Office building, or occasionally at a police station, within a particular window of time, and are penalised for lateness. Many travel from miles away and may have no money to pay for transport because they have been made destitute by the asylum

system and often are not provided with travel tickets or reimbursed.^v Some walk for miles. People often have to leave home early in the morning and queue for hours outside. If one fails to report, this is treated as absconding, and can count heavily against an immigration or asylum case and increase the chance of being detained.

When reporting, a person can be detained, made to answer questions that have implications for an asylum or immigration case or prospective case, or both. All of this happens without the presence of a legal representative.

The trauma of reporting

The prospect of reporting frequently causes great stress as the reporting date looms.

Interviewees would explain how it was a structuring feature of their lives.

- *“I go to sign every month in the Home Office...[E]very month the Home Office sends me a message asking me to come and sign and so when they send me a message I cannot sleep... when signing is finished sleeping comes back little by little.”*
- *“It destroys the entire week actually. When that week comes around you can’t focus, you can’t do anything properly”.*

Humiliating treatment when reporting is common:

- *“I’ve been reporting nearly 5 years... The worst thing is the day you have to attend. No one wants to be in that position... We feel we are treated like criminals or animals. What have we done to be treated like this? They shout at you in front of people. Your heart is beating.”*

The trauma of reporting is shaped and compounded by fear of re-detention

- *“You know that the next signing event you could be detained.”*

Among our interviewees, reporting was particularly terrifying for those who had been detained, who felt the trauma of previous detention and the fear of re-detention especially strongly in that context. When we asked people how many times they had been detained, people responded by speaking about the stress involved in reporting:

- *“[I was detained] once but sometimes when I report I’m kept behind which...could be very, very frightening because you don’t know what the next thing will be.”*
- *“It gives me stress, so much stress. Each time I go there, my blood pressure goes very high. I feel dizzy sometimes.”*
- *“It’s always, always a traumatic experience you never know how you’re going to come out of it and there is always the threat of a removal, even if you have an active case going on.”*

Reporting can have an adverse effect on health

Many interviewees had underlying health conditions; they had often survived torture in their country of origin and had lived through years of destitution and often periods in detention in the UK. Like *Michael*, several interviewees described especially high blood pressure as reporting approached and at reporting.

An older woman supported by JRS collapsed at the reporting centre when told that she was being detained. Though an ambulance was called, immigration officers repeatedly stated that she was faking. She was taken by ambulance to hospital but Home Office officials remained on guard with her while she was assessed, including guarding her overnight, and would not let her receive visitors. Eventually, the Home Office agreed not to detain her. She was moved to another hospital and spent several weeks there.

Reporting and detention within the immigration and asylum system

Detention at reporting occurs without accountability or explanation

People detained at reporting have no warning. They are frequently given very little information about what is happening. Many interviewees said they had no idea what was going on.

- *“They put me in a van, I didn’t know where I was going. They don’t tell you...”*
- *“It was terrible because you don’t know what’s gonna happen to you...you feel like you’re being kidnapped.”*

The fear of detention can dissuade people from reporting, thus defeating the ostensible purpose of reporting – to ensure that people subject to immigration control remain in contact with the Home Office.

When reporting, people can be made to have legally significant interviews with the Home Office without the presence of a legal advisor

People may be taken into a separate room for an interview, of unknown content or duration, without warning. This interview is likely to be significant to their asylum immigration case, and have a bearing on whether they will be detained and removed, but it takes place without any legal advisor present. At the end of the interview, one may well be detained. People are sometimes interviewed without an interpreter they can understand, and without support for disabilities that may affect their ability to understand or communicate. Several of our respondents who had been interviewed at reporting described feeling tricked or trapped:

- *“You have a short interview to trap you into saying things that will be used against your case later...[The Home Office]... are looking to get you from all angles.”*

Some had been pressured to sign documents they did not understand. Signatures can be required to obtain travel documents needed for removal:

- *“You must sign otherwise you are not able to speak to your solicitor. It’s like blackmail....I start having flashbacks, I started shaking....I had no choice so I signed.... As soon as she [the officer] opened the door I saw a cage.... I realised I was a prisoner. It was like the whole world crumbled under my feet.”*

Interviews without prior warning may happen, for example, even when someone has an outstanding claim, or when they are in the process of putting together a claim for asylum. This does not allow people to understand, explain, and fully engage with their cases, which can lead to Home Office caseworkers making decisions about people’s cases without all the relevant information.

The length of time over which they were required to report was often felt by interviewees to be both unjust and purposeless. One interviewee argued that reporting and detention together were both part of the “hostile environment”.

- *“[When you’ve been reporting for years] it becomes unnecessary, it becomes cruel, it serves no useful purpose...you’re damaging the person...why would anybody treat someone like this?”*

Reporting and Destitution

Several interviewees explained that they struggled to pay for their travel to the reporting centre, and specifically noted the injustice of being obliged to report whilst denied the financial means to do so, being both banned from working and denied travel expenses.

- *“I have to borrow money to sign [at the Home Office]...everyone reporting should be entitled to money.”*
- *“Signing costs money. They insist you come sign, but they don’t want you to earn any income”.*

Concluding Remarks

Reporting is a traumatic experience functioning as part of an immigration and asylum system in which people often struggle to get justice and it interacts with other parts of that system. Destitution imposed on people who have been refused asylum makes it difficult to meet reporting conditions, but failing to do so has an adverse impact on an asylum or immigration case. Far from helping people to engage with their cases, it can obstruct such engagement; and it operates under the ever-present threat of being detained in an unaccountable, opaque process. A re-examination of the purpose, scope, and operation of reporting is badly needed.

Reporting has been paused for months. There is now an opportunity to re-think it, rather than simply recommencing the processes in operation in March 2019. At the same time, the pandemic poses particular risks of injustice towards those required to report. As reporting has been paused, the Home Office has sought to keep in touch with people by phone. This has not always been possible, especially for a vulnerable population, living in especially precarious circumstances. One consequence is that some people may not be aware when they are required to report again. It is vital that people should not be treated as having absconded simply because the Home Office has been unable to make contact during the pandemic, or somebody misses their scheduled time to report.

'Immigration Bail'

Between 1971 and 2018, there were several powers under which people without 'leave to enter' or 'leave to remain' in the United Kingdom could be either admitted to the country or released from detention: 'temporary admission', 'temporary release on bail', and 'temporary release on restrictions'. The Immigration Act 2016 amalgamated these under the single power of 'Immigration Bail'. This part of the 2016 Act came into force in January 2018. All migrants in the UK lawfully without 'leave to remain' or 'leave to enter' are now on 'immigration bail'.

ⁱ Version 1.

ⁱⁱ Most of these were part of a wider research project on detention and conducted in spring and summer 2019, the findings of which are published in JRS UK's report "[Detained and Dehumanised](#): the impact of immigration detention" (June 2020). Reporting emerged as a significant issue in this research, so we invited others to speak to us about reporting before preparing this briefing, in July 2020. This briefing reproduces some material from *Detained and Dehumanised*.

ⁱⁱⁱ According to a Freedom of Information request made by Migrants Organise, on which see Migrant's Organise, "[Evaluation](#) of Home Office Reporting Conditions" January 2020. Data was for 13.9.2019. This statistics refers to those on "Immigration Bail". Under the 2016 Immigration Act, all migrants liable to immigration detention are described as being on "Immigration Bail". See the explanatory box.

^{iv} In "Evaluation of Reporting Conditions", p.2., Migrants Organise suggests that "a significant proportion of those that are not asked to report are young children." This reflects JRS UK's experience, in that we work with many parents required to report, while their young children are not. Their children are, nonetheless impacted by their parents' reporting conditions, as the stress affects the whole family.

^v For further information on difficulty securing travel costs, see for example, British Red Cross, "Never Truly Free: the humanitarian impact of the UK immigration detention system" (2018).