

ASSESSMENT CATEGORY: Bridging Divides – Advice and Support

Ball for Immigration Detainees (BID)

Adv: TIm Wilson
Base: Hackney
Benefit: London-wide

Amount requested: £120,000
{Revised request: £150,000}
Amount recommended: £150,000

The Applicant

Established in 1999 to provide free legal advice and representation to people in immigration detention, BID also works to advocate for meaningful safeguards in the detention process, such as the provision of judicial oversight of custodial decisions. The charity delivers free support to immigration detainees through its volunteer network, prepares applications for release on bail, publishes self-help materials (which the Home Office has mandated must be carried by every immigration detention centre's library), and prepares deportation appeals. The quality of BID's legal materials has been praised by the Supreme Court.

The Application

BID seeks City Bridge funding to increase the volume of immigration detention advice available in London detention-centres. The charity seeks to support 160 detainees with one-to-one advice each year, assist a further 300 to self-represent, support another 700 through a telephone helpline and run at least two workshops per month for prospective clients. The charity notes that between 50-75% of its clients have either lived in London prior to their detention or are subsequently released (as a result of BID's work) within London. Proposed costs are therefore proportionate to BID's London caseload.

The Recommendation

BID is a highly-regarded charity whose work has been positively acknowledged both by the judicial system and the Home Office. Its specialist work means there is relatively little alternative provision available to clients, and the majority otherwise self-represent. It is worth noting that Immigration detention is not subject to the same safeguards as the criminal justice system, and that people lawfully living in the UK can be sent into this detention, as the media highlighted during the recent Windrush scandal. Given that clients are held in secure immigration detention and face deportation, your officer discussed the applicant's eligibility with the City Solicitor and the reasons why the work could be funded under current policy. Following discussion with the charity, BID revised its request for support from four to five years, and this seems entirely in line with the Trust's policies for Bridging Divides. Funding is advised as follows:

£150,000 over five years (5 x £30,000) towards Legal Manager salary costs and overheads, on the condition that all funds are restricted for support to London clients.

Funding History

None

Background and detail of proposal

BID notes that people held in immigration detention centres have a statutory entitlement to 30 minutes' advice and are subsequently expected to self-represent at Tribunal Service hearings. There is no judicial oversight of immigration detention decisions, no access to legal aid and, unlike the criminal justice system, no automatic bail hearing. There is no time limit on immigration detention, which means some individuals can be detained for several years pending resolution of their case. BID believes that this approach is flawed, and notes that the UK Government pays around £4m each year in compensation for unlawful immigration detention (this amount excludes legal fees).

The charity supports around 6,000 people each year, taking on clients who do not already have legal representation. Clients with mental health needs, survivors of torture, and those with dependent children are typically prioritised. BID's support is publicised by other charities working in prisons and immigration detention centres, through word-of-mouth referrals by existing clients, and through detainees' library services. First contact is generally through a call to BID's helpline, a letter, or a site visit and in the first instance people are directed to the charity's self-help materials. Representation depends on formal instruction from a prospective client, and the charity will typically work with around 25 in-depth cases per month.

Financial Information

The table below shows an apparent 27% drop in income from 2018 to 2019. BID has clarified that its management accounts and operating budgets do not include the amounts that appear in audited accounts as "donated services". In line with SORP guidance, BID calculates the financial equivalent of its pro bono barristers' time, as this would otherwise represent charges the charity would have to pay for.

Free reserves are shown as a proportion of total funds because the organisation has effectively only one purpose and all restricted grants are awarded towards that aim.

Year end as at 31st July	2018 Audited Accounts £	2019 Forecast £	2020 Budget £
Income & expenditure:			
Income	703,383	513,733	508,713
- % of income confirmed as at 6th March 2019	n/a	96%	43%
Expenditure	(664,565)	(526,296)	(524,524)
Total surplus/(deficit)	38,818	(12,563)	(15,811)
Split between:			
- Restricted surplus/(deficit)	(19,451)	0	0
- Unrestricted surplus/(deficit)	58,269	(12,563)	(15,811)
	38,818	(12,563)	(15,811)
Cost of Raising Funds	60,683	60,600	61,000
- % of income	8.6%	11.8%	12.0%
Operating expenditure (total funds)	664,565	526,296	524,524
Free unrestricted reserves:			
Free unrestricted reserves held at year end	286,773	274,210	258,399
No of months of total expenditure	5.2	6.3	5.9
Reserves policy target	332,283	263,148	262,262
No of months of total expenditure	6.0	6.0	6.0
Free reserves over/(under) target	(45,510)	11,062	(3,863)