

The small print for support groups

Asylum seekers

Detainees who have claimed asylum may be eligible for Section 95 or Section 4(2) support (and apply under Section 4 (3) for any dependents) as long as they meet certain criteria. They can apply once released from detention using the application form ASF1 available here <http://bit.ly/x0kMxw>

Released detainees with an initial asylum claim or appeal outstanding will be eligible for s95 support if they are destitute (which means homeless, or with insufficient funds to meet essential living needs within 14 days)

Released detainees who have been refused asylum will be eligible for Section 4 (2) support if they are destitute and meet the second stage eligibility criteria, which are

- S/he is taking all reasonable steps to leave the UK or place her/himself in a position in which s/he is able to leave the UK
- Accommodation is necessary to prevent a breach of her/his rights within the meaning of the Human Rights Act 1998 (for example, if further submissions are outstanding).
- S/he is unable to leave the UK because of a physical impediment to travel or for some other medical reason
- No viable route of return
- S/he has applied for judicial review of the decision on her/his asylum claim and s/he has been granted permission to proceed

Non-asylum seekers

Section 4 (1)(a) support may be available for people on Temporary Admission. Asylum Support Appeals Project (ASAP) advise that the Home Office have not published any criteria for Section 4 (1)(a) support, but appeals have been won for people on Temporary Admission on the basis that there is a duty to house them under the Human Rights Act (see below also for EEA nationals).

EEA nationals

Detained EEA nationals may be eligible for mainstream benefits or Section 4 support, but the guidance in this area is not clear. Please seek advice. This section will be expanded by BID in the next version of the leaflet.

Applying for a S4 (1)(c) bail address if a private bail accommodation arrangement breaks down after release.

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GUIDE TO RELEASE FROM DETENTION

ACCOMMODATION & FINANCIAL SUPPORT

What happens when I get released from detention?

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If you are released as a result of successful High Court Action (Judicial Review or JR) the court may decide to release you either on BAIL or on TEMPORARY ADMISSION.

This leaflet will tell you what accommodation and support options you have when you are trying to get released from detention.

This information is not suitable for detainees who are separated from dependent children. Please contact the BID family legal team on elli@biduk.org or 020-7650-0725

This information is not suitable for people whose Licence conditions require them to live in Approved Premises on release from detention. Please contact BID London on 020 7247 3590

Released on BAIL
to a private address

No accommodation provided by UKBA

Your friend or family member must provide you with accommodation in their home as part of your bail arrangements. If, once you have been released on bail to a private address, your friend or family member decides they can no longer support you, you can apply to UKBA for a Section 4 (1)(c) bail address and a payment card using the 2-page Section 4 application form used by detainees available at <http://bit.ly/AF4Se1>. You will need to provide proof that the private address is no longer available to you.

£0 per week from UKBA

You will get no financial support. Your friends and family must support you. If you are an asylum seeker you may be eligible for s95 financial support.

Cash for travel to reporting

You will need to pay to travel to **every reporting event** with immigration when you are released. You should try to plan ahead for this if you can.

Released on BAIL
to UKBA Section 4 bail accommodation

Accommodation will be provided by UKBA

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If you are bailed you will live in UKBA Section 4 (1) (c) bail accommodation (e.g. Barry House in London) but you cannot decide where in the UK you will live.

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No regular weekly payment straight away from UKBA when you are released, you will need to apply for financial support.

You will not automatically get financial support if you are released from detention on Temporary Admission. You will need to apply for support. If you have no private address or financial support you may be eligible for Section 4 or Section 95 asylum support. You can do this if you have been in prison, or have never claimed asylum, but you should seek advice.

If you have claimed asylum, please contact your refugee agency for help with applying. Application form ASF1 is available here <http://bit.ly/x0kMxw>

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BID London: for all general queries and all other detainees and people held in prison, Tel: 020 7247 3590

With thanks to **Asylum Support Appeals Project (ASAP)** www.asaproject.org



GUIDE TO RELEASE FROM DETENTION

ACCOMMODATION & FINANCIAL SUPPORT

What happens when I get released from detention?

You may be released from detention on bail to Section 4 accommodation, on bail to a private address, or on Temporary Admission (TA).

If you are released as a result of successful High Court Action (Judicial Review or JR) the court may decide to release you either on BAIL or on TEMPORARY ADMISSION.

This leaflet will tell you what accommodation and support options you have when you are trying to get released from detention.

This information is not suitable for detainees who are separated from dependent children. Please contact the BID family legal team on elli@biduk.org or 020-7650-0725

This information is not suitable for people whose Licence conditions require them to live in Approved Premises on release from detention. Please contact BID London on 020 7247 3590

Released on BAIL
to a private address

No accommodation provided by UKBA

Your friend or family member must provide you with accommodation in their home as part of your bail arrangements. If, once you have been released on bail to a private address, your friend or family member decides they can no longer support you, you can apply to UKBA for a Section 4 (1)(c) bail address and a payment card using the 2-page Section 4 application form used by detainees available at <http://bit.ly/AF4Se1>. You will need to provide proof that the private address is no longer available to you.

£0 per week from UKBA

You will get no financial support. Your friends and family must support you. If you are an asylum seeker you may be eligible for s95 financial support.

Cash for travel to reporting

You will need to pay to travel to **every reporting event** with immigration when you are released. You should try to plan ahead for this if you can.

Released on BAIL
to UKBA Section 4 bail accommodation

Accommodation will be provided by UKBA

While you are detained, you can apply for Section 4 bail accommodation and support even if you have never made an asylum application. The application form is here <http://bit.ly/AF4Se1>

If you are bailed you will live in UKBA Section 4 (1) (c) bail accommodation (e.g. Barry House in London) but you cannot decide where in the UK you will live.

£35.39 per week from UKBA

You will get a payment card but no cash support.

Cash for travel to reporting

You will need some **cash to travel to your first reporting event** with immigration when you are released. You should try to plan ahead for this if you can.

Released on TEMPORARY ADMISSION

If you are released from detention on TA you will not generally be able to go straight into UKBA accommodation,

unless you applied for TA and at the same time applied for either s95 or s4 (2) support while detained. Otherwise you must apply for support once you are released. If you are granted Temporary Admission (TA), when you are released you cannot go and stay at a Section 4 bail address that UKBA has given you to make a bail application.

No regular weekly payment straight away from UKBA when you are released, you will need to apply for financial support.

You will not automatically get financial support if you are released from detention on Temporary Admission. You will need to apply for support. If you have no private address or financial support you may be eligible for Section 4 or Section 95 asylum support. You can do this if you have been in prison, or have never claimed asylum, but you should seek advice. If you have claimed asylum, please contact your refugee agency for help with applying. Application form ASF1 is available here <http://bit.ly/x0kMxw>

Cash for travel to reporting

You will need some **cash to travel to your first reporting event** with immigration when you are released. You should try to plan ahead for this if you can.