



Opening Hours

Monday to Friday

9.00am - 8.00pm

Saturday and Sunday

10.00am - 3.00pm

Foreign National Prisoners

Can a prisoner be deported from the UK?

If the individual is a foreign national and has received a custodial sentence of 12 months or longer – Yes. They can also be deported on the courts recommendation.

Can deportation be appealed?

Yes. Appeals can be granted whilst the prisoner is still in the UK; however this depends on circumstances. An individual may also be granted an out of country right of appeal once they have left the UK.

The CCD (criminal case directorate) should give a prisoner the opportunity to put forward representations to appeal against deportation. It is recommended to seek legal advice in this instance.

If still serving a custodial sentence or after release a prisoner will have 10 working days (2 weeks) to submit an appeal. If detained under the Immigration Act only, you have only 5 days (1 week) to submit an appeal.

Can a prisoner contact family abroad?

This varies from prison to prison. Generally individuals are entitled to longer telephone calls and credits if no family are visiting. But it would need to be checked with the individual prison.

Can a prisoner get financial help to travel to their home country?

Yes. The FRS (Facilitated Removals Scheme) provides financial support to foreign nationals (not European nationals), who wish to return to their home country. There is a limit and an application form must first be completed.

If deported, how long must an individual wait until they can return to the UK?

An individual cannot apply to return to the UK for 10 years. After this point contact would need to be made with the Home Office, and a requested made to have the deportation order revoked.

Where will foreign national prisoners serve their sentence?

Foreign national prisoners can be detained in a normal prison, but if they are at risk of being deported, they can be kept at detainee centre across the U.K

If the prisoner has committed a sexual offence, or their offence is deemed high risk, they are likely to be kept in a high security prison establishment.

Are Foreign National Prisoners eligible for HDC tag?

Yes, if they are not liable of being deported, are not an illegal immigrant and a case has not been filed under the Immigration and Asylum Act.

The prison will 10 weeks prior to a Foreign National prisoner's eligible HDC date; send a form to the U.K border agency and Criminal Case worker to obtain any information required. This decision will be made on the basis of how likely the prisoner is to abscond and how they have complied with immigration conditions so far. (See HDC info sheet for details on the standard process).

Are Foreign National Prisoners allowed to be released on temporary licence?

Yes, prisons can request for a Foreign National Prisoners to become a cat d prisoner and also apply for ROTL.

There are 4 different types of request for ROTL a prison can apply for and it is their decision. They will beforehand make contact with the Criminal case worker to see if a case is open for deportation.

The criteria assessed for considering ROTL include; if the prisoner has any family in the UK, their community links, and if they have been involved in any previous illegal activity.

Useful contacts:

Detention advice: 0207 254 6888

Immigration advice service: 0844 887 0111

Facilitated return scheme: 0208 760 8513

