**Time-served prisoners**

**Draft communications messages**

**August 2022**

We want to live in a society where we are all equal before the law. We want to live in a society where people, who have been in prison, can all be helped to find new opportunities after they have served their sentences.

Successive changes have been made to the law, started by the last Labour Government with the 2007 UK Borders Act, which means that any non-British person, who is sentenced to 12 months or more in prison, is automatically liable for deportation.

At the moment, the policy of automatic deportation means that there is not equality before law – not all people are treated equally in this country.

This unequal practice amounts to racial discrimination. It also discriminates against children whose parents are deported. It expels people who have been in the UK for a long time, often from childhood, with long and deep connections to the country, and often little or no experience of the country that the government decides that they belong to.

Prison should not be used for the purpose of immigration detention. We know that people will have their liberty denied them for longer if they are in a prison compared to a detention centre, and they will not have access to the rights of detainees.

People are doubly punished because of their immigration status. Once they have served their prison sentence, they then are detained for a second time but for an indefinite period.

We want to see:

* An end to automatic deportation after a 12 month prison sentence for non-British citizens.
* All prisoners not in possession of a British passport receiving individual case resolution support from the outset and during their custodial sentence, so that they are clear about their future immigration status at the end of their sentence
* All people receiving robust legal aid support and immigration advice in prison to ensure proper representation when they become liable to deportation at the end of their sentence.
* No time-served prisoners are held indefinitely in immigration detention at the end of the sentence.
* Any continued risk to the public then being managed by the criminal justice system and not the immigration system.
* A fee waiver at every stage of the immigration process for people applying for British citizenship.