HM Courts & Tribunals Service

First-tier Tribunal (Immigration and Asylum Chamber)

Conditional Grant of Immigration Bail

Application details

Online case reference
[redacted]

Applicant name
[redacted]

Home Office reference
CID:[redacted]

Detention location
[redacted]

Legal representative reference
[redacted]

Reasons

There are significant barriers to removal and the Home Office conceded that removability is low. [redacted] Removal Directions had already been set aside [redacted] The Home Office is exploring possibility of return [redacted] It is disproportionate to keep [redacted] for that amount of time in detention without certainty that removal could proceed in such manner, especially taken into account that there are risks mitigating factors and arrangements in place

which assured me that the risks of non-compliances can be managed adequately with bail conditions.

[redacted] I consider it necessary for the proposed release address to be assessed and approved by probation before he is released to live there, [redacted] Therefore, bail in principle is granted to [redacted]

Conditions of bail

The Tribunal grants immigration bail to the applicant subject to the following condition(s):

Residence

This is a conditional grant of bail with deferred commencement:

The applicant will reside at an address approved by the probation/offender manager.

By virtue of para 3(8) of schedule 10 of The Immigration Act 2016 this grant of bail will not commence until such address has been approved by probation.

The approval of a residence address will be reviewed by the Tribunal on the first available date after [redacted] unless the Tribunal is notified prior to that date that accommodation has been approved and bail commenced in which case the matter will be dealt with administratively.

In the event that the applicant has not been released then at least 2 clear days before the bail review hearing, the Secretary of State is to update the Tribunal in writing as to the progress made in relation to sourcing and/or approving accommodation for the applicant.

Appearance

The Applicant must appear before an Immigration Officer on a date and time and by such means as may be notified to him by the Home Office in writing.

Electronic monitoring

Note: Where the Tribunal has directed that the Applicant should be subject to an electronic monitoring condition there may be a delay of release of up to 72 hours pending arrangements for the electronic monitoring device.

Bail is granted conditional upon:

the applicant being compliant with the fitting of an electronic monitoring device at the point of release from detention; and

the Secretary of State promptly arranging the fitting of the electronic monitoring device at the place of the Applicant's detention. If the secretary of State does not complete the fitting of the electronic monitoring device within 72 hours then this grant of bail will commence and the applicant is to be released subject to the other conditions of this grant of bail. In such an event the Secretary of State will make arrangements for the fitting of the electronic monitoring device post release.

Applicant acknowledgement of conditions

I confirm that I have read and understood this bail decision and the bail conditions imposed.

Signed [redacted] Date [redacted]

Financial condition

The Tribunal considers that it is appropriate to impose a financial condition with a view to ensuring that the applicant complies with the bail condition(s) specified above.

The named financial condition supporters will be required to pay the sum(s) below if the applicant fails to comply with another condition to which his/her immigration bail is subject.

Financial condition supporter 1

Name
[redacted]

Amount undertaken to be paid
£1000

Address
[redacted]
United Kingdom

I confirm that I have read and understood this bail decision and the bail conditions imposed. I agree to pay the financial condition set out above if the applicant fails to comply with any of the conditions of bail.

Signed: [redacted] Date [redacted]

Direction to transfer future management of bail

The Tribunal directs that on commencement of bail future management including any application for variation shall be exercised by the Secretary of State pursuant by paragraph 6(3) of Schedule 10 to the Immigration Act 2016.

Please note: Where the Tribunal directs that bail management shall be transferred to the Secretary of State, all future proceedings will be conducted by the Secretary of State (including any hearing to determine liability for payment of a financial condition).

I certify that I have granted immigration bail to the applicant subject to the conditions set out.

Signed: [redacted] Date [redacted]

Get in touch

Contact the Tribunal if you have any questions.

Telephone: 0300 123 1711
Email: contactia@justice.gov.uk

Phone lines open Monday to Friday, 9am to 4pm
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