



National Summary Report

Case study: United
Kingdom

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Exploration and analysis of further public and civic alternatives to RR: case studies at multiple levels

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This document provides a concise summary of the key findings of the WP7 national report in the UK. For detailed analysis, evidence, and comprehensive insights, please refer to the full report. The information in this summary should not be considered complete or fully representative of the entire study.

Introduction

This national summary report analyses alternatives to immigration detention, enforced removal and return-oriented case resolution, including returns, removals and readmission where relevant, in the United Kingdom, with particular attention to legal pathways, administrative mechanisms and community-based alternatives to immigration detention. The analysis is situated within a political and policy context in which migration control has become increasingly restrictive, contentious and enforcement-led. Since the 2010s, successive UK governments have relied on the ‘hostile environment’ — later reframed by government as the ‘compliant environment’ — to deter irregular residence through checks in employment, housing, welfare and public services, alongside expanded detention, reporting and removal powers.

Immigration detention remains a central feature of the UK system. Unlike most European countries, the UK has no statutory time limit on immigration detention for most adults, although specific statutory limits apply in some contexts, including for pregnant women and families with children. Detention has been widely criticized for its human, legal and financial costs, and for its limited effectiveness in securing removal within a reasonable period. In practice, many people detained for lengthy periods are eventually released back into the community rather than removed, raising questions about necessity, proportionality and value for money. In UK terminology, “deportation” should generally be reserved for cases involving foreign national offenders or cases where deportation is deemed conducive to the public good; for the broader population, “administrative removal”, “enforced removal”, “return” and “voluntary return” are usually more accurate terms.

Within this broader environment, the UK has nevertheless developed a small number of legal, administrative and project-based alternatives. These include routes to lawful stay based on residence, family life, private life or statelessness; immigration bail and reporting conditions; voluntary return through the Home Office Voluntary Returns Service; and a set of community-based pilot projects delivered by civil society organizations, often in partnership with the Home Office and UNHCR. The most developed examples are the Home Office Community Engagement Pilots, especially Action Access and the Refugee & Migrant Advice Service (RMAS).

The report draws on documentary analysis, earlier MORE work packages, interviews with

practitioners and migrants, and recent evaluations of UK alternatives to detention. It highlights a central tension: while small-scale pilots demonstrate that case management, legal advice and community support can improve compliance and wellbeing, the wider policy framework continues to prioritize deterrence, border-security enforcement, detention capacity and removals.

2. Alternatives

Alternatives to detention, enforced removal and return/readmission in UK practice are fragmented and uneven. They can be divided into three broad categories: legal and administrative pathways that allow some people to remain lawfully in the UK; project-based alternatives, including community case management pilots; and civil society or devolved/local initiatives that do not necessarily change immigration status, but reduce destitution, support legal engagement and enable people to delay, prevent or contest removal in practice where legal grounds exist. Across all categories, alternatives remain limited in scale and are often undermined by high application fees, strict evidential requirements, no recourse to public funds, restricted work rights and limited access to legal advice.

2.1 Legal and administrative alternatives

The EU Settlement Scheme, or EUSS, was one of the largest recent routes to lawful residence in the UK. It was created after Brexit for eligible EU, other EEA and Swiss citizens, and their qualifying family members. The main deadline for most applicants was 30 June 2021, but some late applications and family-joining applications are still possible in defined circumstances. People with pre-settled status may later qualify for settled status. Although the EUSS was not designed as an “alternative to return”, it helped prevent many people from losing lawful residence rights after Brexit.

Private-life, family-life and long-residence routes are also important, but they should be described carefully. Long residence is not a general regularization route for undocumented migrants. Appendix Long Residence normally requires ten years of continuous lawful residence in the UK. People who have lived in the UK for a long time without lawful status may instead need to rely on Appendix Private Life, if they meet the relevant conditions.

Appendix Private Life is more relevant for some people without secure status. It can apply to children who have lived in the UK for at least seven years, young adults who arrived as children and have spent at least half their life in the UK, and adults who have lived in the UK for more than twenty years or who would face very significant obstacles to integration in the country of return. Importantly, the residence period under Appendix Private Life may include time spent in the UK with or without permission.

Family-life routes are mainly covered by Appendix FM. These routes can apply to partners, parents and children where family life in the UK is strong enough to make removal disproportionate.

Appendix FM also reflects Article 8 of the European Convention on Human Rights, which protects private and family life.

These legal routes can protect people from removal in individual cases. However, they are often hard to use. Applications can be expensive, evidence requirements are strict, forms are complex, and many people cannot access good legal advice. Some people are placed on a ten-year route to settlement, with repeated applications every 30 months. This creates insecurity and the risk of losing status again.

The UK has also used exceptional regularization measures in the past. One example is the 2003 Family Indefinite Leave to Remain exercise, which gave indefinite leave to remain to some asylum-seeking families with children after long delays. However, these measures have been exceptional. The UK does not have a permanent, transparent regularization program for long-term undocumented residents.

Other legal options include Appendix Statelessness, leave outside the Immigration Rules, discretionary leave, and limited forms of permission for some recognized victims of trafficking or modern slavery. These routes can prevent removal in individual cases, but they depend heavily on evidence, legal representation and Home Office discretion.

Immigration bail is the main administrative alternative to detention. It allows a person who is detained, or liable to be detained, to live in the community under conditions. These may include reporting, residence conditions, electronic monitoring and financial conditions. The older term “surety” should generally be avoided in current wording; “financial condition supporter” or “financial condition” is closer to current Home Office language.

However, immigration bail is not the same as a secure legal status. It does not by itself give permission to work or access mainstream welfare benefits. People can remain on bail for long periods while their immigration case remains unresolved. For this reason, bail can keep people out of detention, but it does not always provide real stability.

Voluntary return is also presented by the Home Office as an alternative to enforced removal. However, the word “voluntary” should be used carefully. A person’s decision to return may be shaped by destitution, fear, lack of work rights, weak legal advice or the absence of other realistic options.

2.2 Project-based and civil society alternatives

The most significant project-based alternatives in the UK have been the Home Office Community Engagement Pilots, developed in partnership with UNHCR and civil society following the Shaw reviews of welfare in detention. Action Access, delivered by Action Foundation between 2019 and 2021, supported vulnerable women who had experienced, or were at risk of, immigration detention. Participants were accommodated in shared housing in Newcastle and received intensive casework, legal advice and social support. The independent evaluation found improvements in wellbeing and high compliance, with no recorded absconding.

The second pilot, RMAS, was delivered by King's Arms Project between 2020 and 2022 and is examined below as the selected alternative. It broadened the target group beyond women, offering adults liable to detention access to dedicated caseworkers and independent legal advice. The model was not based on surveillance or coercion, but on structured engagement, trust-building and informed decision-making.

Other civil society alternatives operate outside formal Home Office pilots. Detention Action's Community Support Project supports young men with previous convictions, including people treated by the Home Office as foreign national offender cases, a group often assumed to require detention. By combining practical support, legal referrals, accommodation assistance and mentoring, the project has challenged the assumption that detention is necessary to secure compliance or manage risk. Rainbow Migration and other specialist organizations have provided tailored support for LGBTQI+ migrants and asylum seekers, enabling people to disclose protection needs safely and to pursue legal remedies in the community.

Grassroots and local initiatives also play a significant role. Church sanctuary projects, hosting schemes, anti-raids networks, migrant support groups and organizations such as Bail for Immigration Detainees, Medical Justice, Migrants Organize, the British Red Cross, Refugee Council and NACCOM members provide emergency accommodation, food, legal referrals, accompaniment, litigation support and public advocacy. These interventions do not create legal status, but they mitigate destitution, prevent isolation and enable migrants to remain visible and engaged with legal processes rather than being pushed underground.

Devolved and local frameworks are particularly important in Wales and Scotland. Immigration control is reserved to the UK Government, but devolved administrations and local authorities have relevant powers and responsibilities in areas such as health, housing and homelessness, social care, education, integration, community cohesion and violence against women and girls. Wales's 'Nation of Sanctuary' strategy and Scotland's 'Ending Destitution Together' framework seek, within devolved competences, to improve access to essential services, hardship support, advice and housing for people with insecure immigration status where legally possible and subject to reserved immigration and public-funds restrictions. These initiatives do not override Home Office powers, but they create a more supportive environment and demonstrate how local and devolved actors can reduce the harms associated with UK-wide immigration enforcement and return-oriented policy.

2.2.1 Selected alternative: Refugee & Migrant Advice Service (RMAS)

The Refugee & Migrant Advice Service (RMAS) pilot was selected for in-depth analysis because it is one of the clearest UK examples of a community-based alternative to immigration detention and enforced removal. It was Home Office-commissioned, co-designed with UNHCR and implemented by a non-governmental organization, King's Arms Project (KAP), creating a hybrid model that combined public funding with community-based delivery.

RMAS was launched in June 2020 as the second phase of the Home Office Community

Engagement Pilot series. It targeted adults with no current leave or permission to stay who were liable to detention, including people refused asylum, people who had overstayed leave, and people whose cases were otherwise at risk of enforcement action. Participation was voluntary. Individuals were identified by the Home Office and invited to join the pilot as an alternative to detention; participation did not itself grant immigration status, but engagement took place in the community rather than in custody.

The service model combined three core elements. First, participants received independent immigration legal advice through a structured three-meeting model, enabling a regulated immigration adviser or solicitor to review their history, identify possible legal routes and explain the implications of voluntary return through the Voluntary Returns Service if no route to stay was available. Second, each participant was assigned a KAP caseworker who provided regular, person-centered support, helped gather evidence, liaised with immigration advisers, solicitors and assisted with practical issues. Third, caseworkers coordinated access to basic services, including GP registration and primary healthcare access, food, clothing, emergency or temporary shelter, community groups and, where possible, specialist mental health or social support.

The pilot's underlying logic was that compliance is more likely when migrants understand their options, have access to legal advice and are treated with dignity. RMAS did not rely on detention, electronic monitoring, including tagging, or intensive surveillance. Instead, it worked through trust, informed choice and practical stabilization. Participants remained subject to immigration bail, reporting or other Home Office requirements where applicable, but the relationship with the caseworker gave them a reliable point of contact and helped them engage with the Home Office, immigration advisers, solicitors and support services.

The independent evaluation found strong outcomes. Over the two-year pilot, RMAS supported 84 people. Compliance with engagement and, where applicable, reporting requirements was extremely high, with no participants recorded as absconding. Participants reported improved understanding of their immigration situation, greater confidence, better mental health and a stronger sense of agency. A number of participants were able to identify viable legal routes or make progress towards case resolution, including further submissions that might be treated as fresh asylum claims, family- or private-life applications, other forms of leave, or informed voluntary return where no legal route remained.

RMAS also appears to have been more cost-effective than detention, although the claim should be framed cautiously because the published evaluation does not provide a full like-for-like cost

comparison with detention. Although the exact full costs of the pilot were not publicly itemized in the same way as detention costs, community-based support without accommodation is likely to be substantially less expensive than detention on a per-person basis, while also potentially reducing downstream costs associated with unlawful detention claims, repeated enforcement action, crisis support and unresolved cases. More importantly, RMAS demonstrated that a support-based approach can maintain compliance while improving wellbeing and the quality of case resolution.

The pilot nevertheless had important limitations. It did not provide accommodation, permission to work or systematic financial support. Some participants remained destitute, homeless or dependent on charities, which limited the program's ability to stabilize their lives fully. The pilot was small, regionally concentrated and time-limited. It ended in June 2022 and was not mainstreamed, despite positive evaluation findings. Its termination reflected both the fixed nature of the funding and the hardening political climate around immigration enforcement, including renewed emphasis on returns, detention capacity, border-security enforcement and deterrence.

For scale-up, RMAS suggests several lessons. A national alternative to detention should combine early legal advice, low caseworker caseloads, trauma-informed support, clear Home Office liaison, and practical assistance with housing, healthcare, subsistence and communication. It should also avoid treating community alternatives as merely cheaper enforcement tools. Their effectiveness depends precisely on the features that differentiate them from detention: trust, dignity, voluntary participation, meaningful legal options and the possibility of durable case resolution.

3. Conclusion

The UK case shows that alternatives to immigration detention and enforced removal, and mechanisms that can prevent or resolve return/removal cases in individual circumstances, exist, but they remain fragmented, under-resourced and politically marginal. Legal routes such as the EUSS, lawful long residence, private- and family-life provisions, statelessness leave, leave outside the Rules and discretionary grants can provide meaningful protection from removal in individual cases. However, they are often narrow, expensive and procedurally complex. Immigration bail keeps people out of detention, but frequently without the rights, stability or support needed for genuine case resolution.

By contrast, community-based projects such as Action Access, RMAS and Detention Action's Community Support Project show that supported engagement can achieve high compliance without detention. These initiatives also suggest that people are more likely to engage with immigration procedures when they understand their legal position, have access to independent advice, and can meet basic needs in the community. The evidence therefore challenges the assumption that detention is necessary to secure engagement or removal.

The main obstacle is not the absence of workable alternatives, but the lack of political and institutional commitment to embed them. The UK's wider hostile environment, officially reframed as the compliant environment, including no recourse to public funds, work restrictions, high fees, limited legal aid and the absence of a general statutory detention time limit for most adults, undermines the effectiveness of alternatives by producing destitution, fear and disengagement. Small pilots cannot fully compensate for a policy framework that keeps people precarious by design.

A more coherent UK approach would require expanding community-based case management nationally, ensuring access to early and independent legal advice, providing temporary accommodation and subsistence support, improving data collection on immigration bail and alternatives, and considering conditional permission to work for people in prolonged procedures, including asylum seekers and others whose cases cannot be resolved quickly. It would also require stronger cooperation with devolved administrations, local authorities and civil society actors that already provide much of the practical infrastructure for community-based case resolution, non-detention support and protection from unnecessary removal.

Ultimately, the UK evidence indicates that alternatives grounded in rights, trust and support can be more humane and more effective than detention-centered enforcement. The central policy question is whether these alternatives will remain isolated experiments, or whether their lessons will be translated into a durable national framework for case resolution in the community.

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