# Immigration court blocks deportation of convicted illegal migrant citing mental health and hardship



An immigration court has ruled that Joyce Baidoo, a 57-year-old illegal migrant with a history of fraud, cannot be deported from the UK due to her long-term residence and the significant obstacles she would face upon returning to her home country of Ghana. Baidoo has lived in Britain since 2000 and was ordered to leave by the Home Office in 2007 after serving a ten-month prison sentence for using false identity documents. Despite her conviction, she has argued convincingly that reintegration into Ghana would be exceptionally challenging, highlighting a lack of family support and employment opportunities.

The court found her argument compelling, with Judge Jeffrey Cameron noting the severe implications for her mental health and wellbeing if she were to be forcibly removed. Baidoo claimed that leaving the UK would lead to destitution and unjustifiably harsh consequences for her life. The judge's conclusions were based not only on her mental health but also on the absence of familial ties following the death of her husband, and her estrangement from her children. With her age and health concerns, it was deemed highly unlikely she could secure employment upon return; any assistance from the Ghanaian government would offer only short-term relief.

This case unfolds amidst ongoing debates about immigration policy in the UK, particularly regarding the deportation of foreign nationals with criminal convictions. In March 2025, the Conservative Party announced a proposal to amend the government's borders bill, aiming to facilitate the deportation of all foreign nationals convicted of a crime, regardless of the sentence length. This shift has been met with criticism from refugee advocates, who deem the proposal impractical and potentially harmful. Currently, deportation under UK law requires custodial sentences of 12 months or more, a threshold that often complicates attempts to remove individuals like Baidoo or even those with more extensive criminal records — as seen in the case of Alius Ambulta, a Lithuanian national with 17 convictions who remains in the UK due to the length of his latest sentence.

The legal landscape surrounding deportation has been shaped by decisions from various tribunals, which underscore the necessity of meeting a 'very compelling circumstances test' to prevent expulsion. In 2019, the Court of Appeal reinforced this principle, indicating that even serious offenders might be entitled to remain in the UK if their personal circumstances warrant it. Baidoo's successful appeal illustrates how individual narratives of hardship and long-term residency can complicate the rigid application of these policies.

Furthermore, guidelines set by the UK government indicate that habitual offenders or those who have committed serious crimes could face exclusion from the UK. However, the nuances of individual cases, such as Baidoo's potential for destitution and deteriorating mental health, introduce significant complexities into the application of such rules.

As the Home Office prepares to appeal the recent tribunal decisions in Baidoo's case, the ongoing situation portrays the tension within UK immigration policy — balancing public safety against humanitarian considerations. The outcomes of these legal battles may have far-reaching implications not only for Baidoo but also for future cases involving foreign nationals facing deportation due to criminal convictions, especially as policy discussions evolve.

## Reference Map:

* Paragraph 1 – [[1]](https://www.dailymail.co.uk/news/article-14768457/Illegal-migrant-arrived-convicted-fraud-imprisoned-deported-lived-long.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[3]](https://www.gbnews.com/news/migrant-crisis-illegal-17-previous-convictions-cannot-deportation-britain)
* Paragraph 2 – [[1]](https://www.dailymail.co.uk/news/article-14768457/Illegal-migrant-arrived-convicted-fraud-imprisoned-deported-lived-long.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[2]](https://www.theguardian.com/uk-news/2025/mar/10/tories-announce-policy-to-deport-all-foreign-nationals-with-criminal-convictions), [[5]](https://tribunalsdecisions.service.gov.uk/utiac/2017-ukut-166)
* Paragraph 3 – [[4]](https://ukimmigrationjusticewatch.com/2019/10/25/court-of-appeal-on-the-very-high-public-interest-in-deporting-foreign-criminals-and-the-very-high-bar-required-to-meet-the-very-compelling-circumstances-test/), [[6]](https://www.gov.uk/government/publications/grounds-for-refusal-criminality/grounds-for-refusal-criminality-accessible)
* Paragraph 4 – [[2]](https://www.theguardian.com/uk-news/2025/mar/10/tories-announce-policy-to-deport-all-foreign-nationals-with-criminal-convictions), [[7]](https://www.gov.uk/government/publications/exclusion-decisions-and-exclusion-orders/exclusion-from-the-uk-accessible-version)
* Paragraph 5 – [[1]](https://www.dailymail.co.uk/news/article-14768457/Illegal-migrant-arrived-convicted-fraud-imprisoned-deported-lived-long.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[6]](https://www.gov.uk/government/publications/grounds-for-refusal-criminality/grounds-for-refusal-criminality-accessible)

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## Bibliography

1. <https://www.dailymail.co.uk/news/article-14768457/Illegal-migrant-arrived-convicted-fraud-imprisoned-deported-lived-long.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data
2. <https://www.theguardian.com/uk-news/2025/mar/10/tories-announce-policy-to-deport-all-foreign-nationals-with-criminal-convictions> - In March 2025, the Conservative Party announced a policy to deport all foreign nationals in the UK who receive a criminal conviction. This proposal aims to amend the government's borders bill, removing the current threshold where deportation applies only after a prison sentence of one year. The policy would affect foreign nationals, including asylum seekers, and those charged with or convicted of immigration offences. While the shadow home secretary described the proposal as 'simple', refugee groups criticised it as 'ludicrously unworkable'.
3. <https://www.gbnews.com/news/migrant-crisis-illegal-17-previous-convictions-cannot-deportation-britain> - In January 2025, Alius Ambulta, a 39-year-old Lithuanian national with 17 previous convictions, was jailed for drug dealing in Great Yarmouth. Despite his extensive criminal record, he cannot be deported from Britain because his latest custodial sentence was under 12 months. The Home Office confirmed that deportation orders apply only when foreign nationals receive custodial sentences of 12 months or more. This case highlights the challenges in deporting foreign criminals with shorter sentences.
4. <https://ukimmigrationjusticewatch.com/2019/10/25/court-of-appeal-on-the-very-high-public-interest-in-deporting-foreign-criminals-and-the-very-high-bar-required-to-meet-the-very-compelling-circumstances-test/> - In October 2019, the Court of Appeal in the UK emphasised the high public interest in deporting foreign criminals and the stringent 'very compelling circumstances test' required to prevent deportation. The case of OH (Algeria) v The Secretary of State for the Home Department highlighted that even with vulnerable British children, a foreign national criminal convicted of serious offences and sentenced to a lengthy period of imprisonment can still be deported if their circumstances do not meet the 'very compelling circumstances test'.
5. <https://tribunalsdecisions.service.gov.uk/utiac/2017-ukut-166> - In January 2017, the Upper Tribunal in the UK addressed the revocation of deportation orders under paragraph 391(a) of the Immigration Rules. The decision clarified that in cases involving convictions for offences with sentences of less than four years, the Secretary of State's policy is that the public interest does not require continuation of a deportation order after ten years have elapsed. However, this period can be extended if there are strong public policy reasons to maintain the order.
6. <https://www.gov.uk/government/publications/grounds-for-refusal-criminality/grounds-for-refusal-criminality-accessible> - The UK government's guidelines on grounds for refusal based on criminality state that entry clearance or permission must be refused where the applicant has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more. Additionally, refusal may occur if the applicant is a persistent offender who shows a particular disregard for the law or has committed an offence that caused serious harm.
7. <https://www.gov.uk/government/publications/exclusion-decisions-and-exclusion-orders/exclusion-from-the-uk-accessible-version> - The UK government's policy on exclusion from the UK indicates that individuals with past or present involvement in criminality will normally be refused entry to the UK in line with Part 9 of the Immigration Rules. Exclusion is considered on a case-by-case basis, based on the person's conduct and circumstances, including prior criminal convictions, the nature and seriousness of previous offending, and whether it is proportionate to exclude the person from the UK.