# Home Office blocked from deporting illegal migrant with decades-long UK ties



The Home Office has encountered a significant setback after losing its appeal against a ruling that permits Joyce Baidoo, a 57-year-old woman who has been living in the UK illegally since 2000, to remain in the country. Baidoo, convicted of fraud due to the use of fake identification papers, served a ten-month prison sentence following her offense. Despite a deportation order being issued in 2007, she appealed successfully, arguing that her prolonged stay in the UK made her return to Ghana untenable.

During hearings at the Immigration and Asylum Chamber, Baidoo emphasised her deep-rooted ties to the UK, claiming she would face "significant obstacles" re-establishing herself in Ghana after such a long absence. The judge agreed with her assertions that her departure would detrimentally impact her mental health and would leave her effectively destitute, as her life in Ghana would lack familial support and employment opportunities. The tribunal highlighted the "very compelling" nature of her case, reflecting a growing trend in legal decisions concerning long-term residents facing deportation.

This ruling occupied a wider context of recent legal precedents concerning deportation, particularly where individuals have established significant roots in the UK. For example, the case of a 27-year-old lesbian asylum seeker known as PN also highlighted the justice system's inadequacies, as it addressed the unlawful removal procedures employed by the Home Office. Following a similar path, another instance arose wherein a woman living in the UK for over 50 years contested her deportation, asserting her right to a family life under Article 8 of the European Convention on Human Rights. Legal experts argue that such human rights considerations are increasingly integral in challenging deportation orders for long-term residents.

The implications of these cases reflect ongoing concerns regarding the fairness of the UK's deportation processes. A 2014 Immigration Act introduced "non-suspensive appeals," which allowed for deportations to proceed before individuals could contest their removal. Critics argue this approach undermines justice, particularly for those who might successfully appeal if given proper legal recourse. The Supreme Court has previously ruled that the Home Secretary breaches human rights if deportations occur before valid appeals can be lodged, reinforcing the need for a more humane and judicious immigration system.

The complexities of recent deportation cases signal an evolving landscape in UK immigration law, particularly regarding the treatment of individuals with deep ties to the country. Joyce Baidoo's successful appeal not only raises questions about individual rights but also illustrates the ongoing struggle to balance immigration control with fundamental human rights considerations.

### 📌 Reference Map:

* Paragraph 1 – [[1]](https://www.express.co.uk/news/uk/2063374/uk-illegal-migrant-cant-be-deported), [[6]](https://www.theindependent.com/news/uk/home-news/home-office-ordered-to-bring-back-migrant-mother-and-fiveyearold-son-deported-to-nigeria-10193656.html)
* Paragraph 2 – [[3]](https://www.otssolicitors.co.uk/news/woman-who-has-lived-in-uk-for-50-years-facing-deportation), [[4]](https://jamaica-gleaner.com/article/news/20150224/no-appeal-deportees)
* Paragraph 3 – [[5]](https://www.otssolicitors.co.uk/news/supreme-court-declares-home-secretary-in-breach-of-human-rights-if-deportation-occurs-before/), [[7]](https://freemovement.org.uk/government-can-deport-people-who-have-successfully-appealed-against-deportation-before/)

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.express.co.uk/news/uk/2063374/uk-illegal-migrant-cant-be-deported> - Please view link - unable to able to access data
2. <https://www.theguardian.com/uk-news/2020/sep/28/woman-wins-uk-legal-fight-unlawful-deportation-uganda> - In September 2020, the Court of Appeal dismissed the Home Office's case against a 27-year-old lesbian asylum seeker, known as PN, who had been unlawfully removed from the UK in December 2013. The court's decision allowed PN to continue her asylum appeal in the UK, highlighting the unlawful nature of her initial deportation under the detained fast track system, which had been previously found to be unlawful. This ruling also acknowledged the unlawful detention PN experienced during her removal process.
3. <https://www.otssolicitors.co.uk/news/woman-who-has-lived-in-uk-for-50-years-facing-deportation> - A woman who had lived in the UK for over 50 years faced deportation, raising significant concerns about the impact of such a decision on her private and family life. Legal experts suggest that individuals in similar situations can challenge deportation orders on human rights grounds, particularly under Article 8 of the European Convention on Human Rights, which protects the right to private and family life. The case underscores the complexities of deportation proceedings involving long-term residents.
4. <https://jamaica-gleaner.com/article/news/20150224/no-appeal-deportees> - The 2014 Immigration Act introduced 'non-suspensive appeals' in the UK, allowing authorities to deport individuals before they have the opportunity to appeal their deportation decisions. This change aimed to expedite the removal of foreign criminals and prevent delays in the justice system. However, it also raised concerns about the fairness of deportation processes and the rights of individuals facing removal from the UK.
5. <https://www.otssolicitors.co.uk/news/supreme-court-declares-home-secretary-in-breach-of-human-rights-if-deportation-occurs-before/> - The Supreme Court ruled that the Home Secretary is in breach of human rights if deportation occurs before a valid appeal can be brought. This decision is significant for immigration law, as it ensures that individuals facing deportation have the opportunity to appeal their cases from within the UK, rather than being forced to do so from abroad, which can be challenging due to limited resources and infrastructure in their home countries.
6. <https://www.theindependent.com/news/uk/home-news/home-office-ordered-to-bring-back-migrant-mother-and-fiveyearold-son-deported-to-nigeria-10193656.html> - In a landmark ruling, the Home Office was ordered to arrange for the return of a deported migrant mother and her five-year-old son from Nigeria to the UK. The court's decision challenged the government's 'deport first, appeal later' policy, emphasizing the need to consider the best interests and welfare of children in deportation cases. This ruling has significant implications for the deportation of families and the rights of children under UK law.
7. <https://freemovement.org.uk/government-can-deport-people-who-have-successfully-appealed-against-deportation-before/> - The UK government can deport individuals who have previously successfully appealed against deportation, as demonstrated in the case of R (Abidoye) v Secretary of State for the Home Department. The Court of Appeal upheld the Home Office's decision to deport Mr. Abidoye, despite his earlier successful appeal, citing changes in deportation law introduced by the Immigration Act 2014. This case highlights the complexities and evolving nature of deportation proceedings in the UK.