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# Opelo Kgari: Government thwarted in second bid to deport woman brought to UK from Botswana

**Exclusive:** Kgari, who spoke to The Independent about life in Yarl's Wood and took a leading role in hunger strike by detainees, avoids Home Office efforts to deport her as lawyers condemn 'positively inhumane removal regime'

May Bulman Social Affairs Correspondent | @maybulman | 2 days ago |

313 comments



Opelo phoned her solicitor, Shoaib Khan, just before 5pm on Monday to say she was being driven to the airport and had been told she couldn't meet anyone to say goodbye

A second attempt by the Home Office to deport a woman who came to the UK from Botswana when she was 13 years old has been thwarted.

Opelo Kgari, 27, who **spoke out to *The Independent*** about the conditions in Yarl's Wood and took a leading role in the hunger strike by detainees, was put in a van to Heathrow on Monday afternoon to be placed on a removal flight to Botswana. She was told she couldn't meet anyone to say goodbye.

Her mother, Florence, was also served with a deportation notice on Monday, but her solicitor got an injunction against her removal on the grounds that she is accepted to be a victim of torture and gender-based violence, meaning her deportation was quickly halted.

Yarl's Wood: Inside the crisis-hit immigration detention centre

The attempt to deport Opelo Kgari shows how unjust our system is

Woman brought to UK from Botswana as a child in deportation reprieve

This meant that if the Home Office had continued with Ms Kgari removal, she would have been arriving alone in a country where she has no network or support base and has spent none of her adult life.

But once she reached Heathrow, the court issued a last minute injunction against her removal. The Home Office said it had noted the injunction and was now “carefully considering” its implications.

Ms Kgari phoned her solicitor, Shoaib Khan, on Monday morning and told him she had been taken to the reception from her bedroom “under false pretences”. Staff had searched her and took her phone and other belongings away and then they locked her in the room, she told him.

The 27-year-old said she didn't know what was happening with her mother, who was also in Yarl's Wood, and said she feared she was going to be handed to escorts to be removed. Mr Khan said Ms Kgari had been “unable to speak through her tears”.

Her mobile phone was then switched off and friends and solicitors were unable to contact her.

Later, her lawyer contacted *The Independent* and said he had “received confirmation that the removal has been deferred”, but had no further information.

Mr Khan said: “We don't really know for sure why. All we received is a letter with her name and the five words, ‘Removal directions have been deferred’”

It comes just a month after she and her mother **narrowly avoided deportation** following an intervention by MPs when, with just moments to spare, their lawyer succeeded in halting the removal.

Last time she and her mother were served a deportation notice in March, Caroline Noakes, the immigration minister, personally intervened to halt it, after it emerged the correct procedures had not been taken to enable them time to dispute the decision.

This time, Florence's solicitor, Bahar Ata from Duncan Lewis Solicitors, managed to get an injunction on her client's removal within two hours of finding out she was being taken to Heathrow, on the grounds of her vulnerability.

"She is accepted to be a victim of torture and gender-based violence and the policy is clear that removal window procedure should not be used in such cases, due to the vulnerability of a person in Florence's position," Ms Ata told *The Independent*.



**Yarl's Wood: Inside the crisis-hit immigration detention centre**

In Opelo's case, Mr Khan said he had provided "several hundred pages of evidence", but said the refusal was received within two to three working days, adding: "It is unlikely they could really have read and properly considered all the evidence that was submitted."

He added that regardless of the strength of her claim to remain in the UK, it was how the Home Office deals with such cases that he found "most troubling".

"She was taken from her room to the detention centre reception, apparently so she could be asked questions. She was then locked there and, in tears, had

to ask for permission to phone her lawyer. She did not know much about what was happening and was unable to speak through her tears,” he said.

Before learning the decision had been deferred, Mr Khan said: “The Home Office had not told her when and how she would be removed but she had been warned that she would be handed over to escorts from there. We are still only guessing that she is being removed, on the basis of that conversation this morning and that she has been incommunicado since then.

“If the next we hear is that she is on a plane or even that she is in Botswana, it would not be the first time the Home Office has treated someone like that. While our immigration rules are unfair, our detention and removal regime is positively inhumane,” Mr Khan said.

“This is not a serious criminal being deported, this is a young woman who has made the UK her home, studied here, done voluntary work here and been a real asset to her community. Basic humanity and decency required that she be treated better than the Home Office treated her.

“She was on hunger strike in detention and has been a voice for all immigration detainees. It is no surprise that the Home Office would wish to be rid of her as soon as possible.”

A friend of Ms Kgari, Natalie Clarkson, said she and other friends were relieved the deportation was halted but are still “worried and scared” of what is going to happen next. She and others have set up a [petition](#) to free Ms Kgari and her mother.



“She has built a life here, she’s become part of the community and done a lot of really good work. She’s as British as I am,” she said. “It astounds me that the Home office can’t see that and that they just look at these pieces of paper and don’t consider the human faces behind them.

“Over the last week or so she’s been scared. She’s been trying to stay in good spirits but facing the reality in the situation and the stress of not knowing her future.”

Ruth Smeeth, Ms Kgari’s local MP, who intervened in the initial deportation attempt, said: “This is a heartbreaking day for Opelo’s friends and supporters and a damning indictment of our current immigration system.

“The fact that a woman who came to this country as a child, and who has made her life here, can find herself a legitimate target for deportation is a sign that our system is targeting the wrong people. It is not fit for purpose, but it is the system that we have.

“As a member of parliament I can only intervene to ensure that due process has been adhered to, which is why I spoke directly with the minister to halt the previous attempt to deport Opelo before her case had been properly considered.”

She added: “Opelo’s struggle to stand up for her rights and the rights of the women of Yarl’s Wood are an inspiration, and the way she has been treated should be a source of national shame.”

A Home Office spokesperson said: “The UK has a proud history of granting asylum to those who need our protection. Where someone is found not to need our protection we expect them to leave the country voluntarily.

“Where they do not, we will seek to enforce their removal. On this basis, removals for Florence and Opelo Kgari were scheduled for 3 March 2018.

“Following the submission of new evidence, not included in the original application, the decision was taken to cancel the removal flight to ensure time was available to fully consider the case.

“Further submissions from [Opelo and Florence] have now been fully considered and the original decision has been upheld.”

*The Independent* subsequently asked the Home Office for an update on the decision to defer the deportation.

A spokesperson said: “Today (Monday 9 April) the court has issued a last minute injunction against the removal of Florence and Opelo Kgari, although their immigration status remains unchanged. We have noted the injunction and are carefully considering its implications.”

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By CORRESPONDENT

Tue 10 Apr 2018, 16:26 pm (GMT +2)

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: Opelo Kgari

Opelo Kgari, 27, who spoke out to The Independent about the conditions in Yarl's Wood and took a leading role in the hunger strike by detainees, was put in a van to Heathrow on Monday afternoon to be placed on a removal flight to Botswana. She was told she couldn't meet anyone to say goodbye.

Her mother, Florence, was also served with a deportation notice on Monday, but her solicitor got an injunction against her removal on the grounds that she is accepted to be a victim of torture and gender-based violence, meaning her deportation was quickly halted.

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"She has built a life here, she's become part of the community and done a lot of really good work. She's as British as I am," she said. "It astounds me that the Home office can't see that and that they just look at these pieces of paper and don't consider the human faces behind them.

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"Further submissions from Mrs Kgari and Miss Kgari have now been fully considered and the original decision has been upheld."

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