

At 8.00am on Monday 1st of May 2006 my brother – Ernesto Leal (41) was arrested and taken from outside his home and held at Bishopsgate Police Station with a deportation order, he was later sent to Belmarsh Detention Centre.

Collette Bowens (my brother's long term partner) was met by up to 30 police officers who had been in their home all night. Their home has been ransacked, his personal computer has been interfered with, personal papers and files (including his passport) have been removed and there was evidence of the back door to their home being forced open. On asking the Police Officer why they were there and how had they got in they were told that they had entered through the back door which had been left open, which it hadn't.

Just over two years ago my brother was sentenced to 3 ½ years for GBH with intent. He served, on the judges advice 18 months where he served the majority of his sentence in an open prison, Ernesto was later released and electronically tagged for 4 months and reported weekly as part of his probation which was relaxed to once a month after 4 weeks.

My brother has no previous criminal record or convictions and this was his first offence.

The detention form states that he

- Is likely to abscond
- his release is not considered conducive to the public good

The deportation form states

- he will be deported to Jamaica

Had my brother been a threat to the general public he would not have been held in an open prison or have had early release or have been electronically tagged. If he was to abscond, there would be no where to go as his home is in London and no reason has been given to why he would be deported to Jamaica given that we are of Chilean origin.

My whole family arrived in the UK in 1977 when my brother was 13 yrs old as political refugees fleeing Pinochet, we were given sanctuary in the UK and have been given 'indefinite leave to remain'. We have no immediate family left in Chile and he has very limited Spanish, we all consider our first language to be English.

Ernesto has spent his formative years in Scotland when my family was adopted by the Scottish National Union of Mineworkers and settled in Cowdenbeath, Fife. Myself and my brothers have gone through the education system here and have worked and started families in this country, he later moved to London.

I am appealing for questions to be made to The Home Office as to why my brother has been detained and to stop his deportation.

There is no question of his status in this country, he has been punished and has served his sentence and should not be discriminated further, he has not committed any further offences and is therefore no cause for public concern, in addition to this

several mistakes have been made by both the Home Office and The Metropolitan Police Force who carried out my brother's arrest.

1. There was no Home Office case worker present so my family have been unable to petition for an appeal.
2. The Home Office detention officer did not have an up to date report from the probation services.
3. The arresting officers advised my brother's partner that he was being arrested because he had not given his whereabouts. This was not the case as he had been tagged and reported to his probation officer once a week for the full time he was required to do so.
4. His status is not in question as he had previously provided, through lawyers, his passport with a Home Office stamp clearly stating that he has 'indefinite leave to remain'.
5. He has been unnecessarily sent to a detention centre merely because there was no Home Office caseworker present.
6. My family was advised that his deportation to Jamaica could be a typo which is indicative of the mistakes made on my brothers case.

This process would have been facilitated had there been a Home Office Case worker been present during and throughout the arrest, we had all the documentation present at the Police Station and were not able to present our case and achieve a speedy solution and either have my brother out on bail or that his case be heard outside the detention centre.

Could you please email **Diane Abbot MP**, Ernesto Leal's local MP at and ask her to ask questions to the Home Office regarding our concerns.

Ask why he has been arrested and why he is being deported?

Diane Abbot MP – 0207 219 3000 or 07947 598 225
Diane Abbot pa – Carol Glenn 0207 219 4426 or 07947 598 225
Diane Abbot press enquiries – Camilla Drejer 0207 219 4426

Or call :-

The Home Office Immigration and Nationality Directorate
UK Immigration Service
Criminal Casework Team
14th Floor, Lunar House
Croydon
CR9 2BY

Tel: 0208 196 0942
Fax: 0208 196 0930

Clearly stating it is regarding Ernesto Leal reference L306526