

**Press release – for immediate release**

**Important victory in fight for justice for Osime Brown: now stop his deportation!**



*Osime's parents Joan and Milton at a demonstration for Osime outside the Home Office*

The Home Office has backed down on its plans to detain Osime Brown pending deportation. This is an important step in the fight for justice for Osime being waged by his mother, Joan Martin, and a growing body of supporters from anti-racist protestors, disability rights campaigners and politicians.

Osime's mother Joan said, 'I want to thank all of the people who've supported Osime to win this victory – but please keep up the campaigning, because now we face the biggest challenge, which is stopping his deportation. We want justice for Osime, and justice for all of those mistreated by the cruel and heartless criminal justice and immigration system in this country.'

Osime, who is aged 21 and autistic, is threatened with deportation to Jamaica, which he left aged 4 and to which he has not returned since. His mother and all four of his siblings live in the UK. Osime's autism, learning disabilities and a serious heart condition mean he would be at significant risk if he was deported. The Home Office issued a notice of intention to detain Osime pending his deportation. Osime's solicitors at Deighton Pierce Glynn sent a letter before claim under the judicial review pre-action protocol, setting out why the detention of Osime would be unlawful and asking that the Home Secretary's decision be rescinded. The representations were based on the risks to Osime of detention in an immigration centre, including because of his heart condition which means that he is advised to shield during the COVID-19 pandemic. In immigration detention, shielding would amount to solitary confinement. Solitary confinement is an unjustifiable breach of civil liberties and human rights for anyone who is only detained for the administrative convenience of the Home Office, let alone for a young man with Osime's vulnerabilities. Faced with the threat of legal action on Osime's behalf, on Friday 2 October, the Government Legal Department confirmed to his lawyers the Home Secretary's decision not to detain Osime after all.

The fight to stop Osime's deportation continues. After a successful appeal against the original decision, the case has been sent back to the First Tier Tribunal for a fresh decision. The hearing is expected in the coming months. Osime is represented by Wilson Solicitors LLP in relation to his immigration case.

Osime's solicitors at Deighton Pierce Glynn will now press on with a proposed claim against the prison service for the mistreatment Osime has suffered in prison, including the failure to take any positive action to make adjustments for his learning disabilities. They are also investigating the possibility of a claim for the historic failings by the education authorities and social services.

Clare Hayes and Sarah Ricca, Osime's solicitors, said, 'Osime's case shines a light on institutional racism in many of its forms, and particularly concerning in Osime's case, the intersection of racism with the discriminatory treatment of disabled, neurodivergent people and people with autism, especially in places of detention. The decision not to detain pending deportation is a very important step in turning the tide of injustices that appear to have beset Osime since his early years. It couldn't have happened without his mother Joan's tireless fight for justice for her son – and without the efforts of all those who have supported her campaign. We urge everyone who has supported Osime so far, to keep up the campaigning which is so important if justice is to prevail.'

## Notes to editors

1. Deighton Pierce Glynn has only recently been instructed in this matter and is still obtaining all the necessary records concerning Osime's history. It would seem from information received to date that the threat to deport Osime is the culmination of a long history of discriminatory treatment, which is all too familiar for children with autism, and for black children especially.
2. The statistics are shocking. For example, according to the CRAE State of Children's Rights 2018 report, black and other minority ethnic children account for just under half of the child prison population, but less than one fifth of the general population; and children living in residential care are at least 13 times more likely to be criminalised than all other children. Behind these statistics, are stories like Osime's.
3. From early childhood, the evidence gathered to date indicates that Osime has been let down by the failure to recognise, diagnose and provide support for his autism and other learning disabilities. Osime has been failed by his schools, by social services, by the criminal justice system. He was not diagnosed as a young child, despite his mother's repeated cries for help. As a result, he was not given the support and adaptations he needed. Instead he was treated as a disciplinary problem and he was excluded from school a number of times. Aged 16, social services acceded to his request to be removed from his mother's care because she was 'too strict'. A series of placements followed and the resulting turbulence and continued inadequate support and adaptations for his disabilities set Osime on the well-trodden path for too many black children - and particularly those with a learning disability - into the criminal justice system. He was permanently excluded from school, spent increasing amounts of time on the streets and ended up with criminal convictions.
4. The deportation order was made after Osime was convicted and sentenced to four and a half years in prison, for a street robbery and attempted robbery of two mobile phones, plus six months consecutive for perverting the course of justice. The possibility of appealing these convictions as miscarriages of justice is currently being explored by criminal lawyers. Osime's two co-defendants pleaded guilty and did not receive custodial sentences. Osime admitted being present but denied involvement in the robberies and his account was supported by a friend of the two victims. The grounds for concern about the safety of the convictions include the role played by the discredited and discriminatory legal principle of joint enterprise. They also include the apparent failure of the court to give proper consideration to Osime's disabilities. For

example, it seems that neither the judge nor the jury had the benefit of proper expert evidence to help them understand Osime's suggestibility and impaired social functioning in groups. In relation to the charge of perverting the course of justice, this charge was brought after Osime messaged one of the victims in a group chat on Facebook before the trial, and asked them to tell the truth. It seems that the jury was not presented with proper expert evidence to help them understand Osime's limited insight into the rights and wrongs of messaging a victim in this way.

Deighton Pierce Glynn  
6 October 2020

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