

Briefing

Illegal Migration Bill - Assessment of impact of inadmissibility, removals, detention, accommodation and safe routes

Summary

Based on the Home Office being able to remove 30,000 people to Rwanda, detaining people for an average of 28 days, and being able to accommodate those not detained in dispersal-style accommodation, the Refugee Council estimates that, if the bill becomes law:

- In the first three years of the legislation coming into effect, between **225,347 and 257,101 people will have their asylum claims deemed inadmissible**. This includes between 39,500 and 45,066 children.
- At the end of the third year, **between 161,147 and 192,670 people will have had their asylum claims deemed inadmissible but not have been removed**. They will be unable to have their asylum claims processed, unable to work and will be reliant on Home Office support and accommodation indefinitely.
- **In total, between £8.7bn and £9.6bn will have been spent on detaining and accommodating people impacted by the bill in the first three years of its operation.**
- The bill will do nothing to expand safe routes available to people who are trying to reach the UK.

It is important to note that the Home Office does not publish data on how many people who apply for asylum arrive irregularly other than by boat. Therefore, we have used a lower and higher range, based on existing data on arrivals from reports by the Independent Chief Inspector of Borders and Immigration. It is likely to still be conservative based on our experience at the Refugee Council of working with people who arrive in the UK.

Background to the bill

The Illegal Migration Bill was introduced in the House of Commons on 7 March 2023. It seeks to make any asylum application made by someone who arrives irregularly into the UK permanently inadmissible, including those made by both accompanied and separated children.¹ Any claim that is declared inadmissible cannot subsequently be considered within the UK's asylum process.² UNHCR has [said that the bill](#) "would amount to an asylum ban" as it would extinguish "the right to seek refugee protection in the United Kingdom for those who arrive irregularly, no matter how compelling their claim may be".

The bill also places a duty on the Home Secretary to arrange for the removal of anyone arriving irregularly,³ and while there is an exception for unaccompanied children, it is important to note the Home Secretary retains a

¹ Clause 4(2)

² Clause 4(3)

³ Clause 2

power to remove them.⁴ There are extensive powers to detain people, including children, with no time limits applying⁵ and with people unable to apply to the courts for bail within the first 28 days. Even in terrorism cases, suspects can only be detained for 14 days. The Home Secretary will have the ability to deprive someone of their liberty, including children, for four weeks before there is any legal oversight of that detention.⁶

For the purposes of the bill, someone who arrives irregularly is someone who fulfils the following four criteria:

- They entered the UK in breach of immigration rules;
- They arrived on or after 7 March 2023;
- They didn't travel directly from a safe country; and
- They require leave to remain in the UK but don't have it.⁷

The bill is most frequently talked about as being a response to the men, women and children who are arriving in the UK having crossed the Channel in a small boat. However, it is important to understand that these criteria are much broader and will capture the majority of people who seek asylum in the UK, particularly as it is not possible to apply for asylum without being physically present in the country and there is no visa that allows someone to travel to the UK for the purpose of claiming asylum. It would mean that of the 89,398 people who applied for asylum last year, the vast majority would, under this bill, be banned from doing so.

This would include tens of thousands of people who are recognised as refugees as last year three quarters of all initial decisions resulted in people being granted asylum. For those who cross the Channel [a recent analysis](#) by the Refugee Council shows that two thirds would be granted asylum.

Despite the focus on those arriving by small boats, in 2022 people arriving in that way accounted for less than half (45%) of all asylum applicants.⁸ Even for countries like Afghanistan, Iran, Eritrea, Syria and Sudan – whose nationals made up [half of those who crossed the channel last year](#) – at least a third of asylum applications were made by those who didn't enter the UK by small boat.

| Nationality | Channel crossings 2022 | Asylum applications 2022 | % channel crossing (max.) |
|-------------|------------------------|--------------------------|---------------------------|
| Afghanistan | 8,633 | 10,872 | 79% |
| Iran | 5,642 | 9183 | 61% |
| Syria | 2,916 | 4534 | 64% |
| Eritrea | 1,942 | 3275 | 59% |
| Sudan | 1,704 | 3191 | 53% |

⁴ Clause 3(2)

⁵ Clauses 11, 12 and 13

⁶ The bill does allow for writs of habeas corpus to be served and for judicial reviews in extremely limited circumstances within the first 28 days. However, for the vast majority, if not all, of those detained under these powers those options are extremely unlikely to be effective. See <https://freemovement.org.uk/detention-provisions-in-the-illegal-migration-bill/> for more information.

⁷ Clause 2

⁸ 40,302 asylum applications were made by people who arrived by small boat out of a total of 89,398.

<https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-december-2022/irregular-migration-to-the-uk-year-ending-december-2022#how-many-migrants-were-detected-arriving-in-the-uk-via-small-boats>

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It's clear that the reach of the bill will extend beyond the 65,000 men, women and children the Home Office predict will cross the Channel in 2023⁹ and, as already noted, will apply to virtually all those who apply for asylum in the UK, banning them from seeking protection here. Their asylum claims will not be heard in the UK and they will face the threat of indefinite detention. However, while the bill places a duty to remove those people, the bill does not set out how the Home Secretary will be able to fulfil that duty given the extremely limited removal agreements in place.

While Albanians whose asylum claims are declared inadmissible will, under the bill, be able to be returned to their own country,¹⁰ the same is not true for others.¹¹ It is not and will not be possible to return an Afghan to Afghanistan, or a Syrian to Syria, for example. However, the UK only has one removal agreement that includes third country nationals in place, and that is the Migration and Economic Development Partnership with Rwanda. While the government of Rwanda has reportedly said they are able to take thousands of people through the scheme,¹² the legal and practical challenges faced by that scheme are well documented.

This potentially will leave tens of thousand people whose asylum claims have been declared inadmissible in a permanent limbo, unable to be removed but also unable to get on with their lives in the UK. Of the nearly 90,000 people who applied for asylum last year it would mean as many as 59,000 could have been in that situation.

The bill amends¹³ section 4 of the Immigration Act 1999 so that people whose claims are declared inadmissible under the bill are potentially entitled to support under that section. This is support that is usually available to those whose claim has been refused and consists of accommodation and weekly payments of £45.

However, section 4 is [particularly difficult to successfully apply for](#). As well as being destitute, people have to show that they satisfy at least one condition set in out in regulations. It's not clear how someone whose claim is inadmissible and who can't be removed from the UK because there isn't a removal agreement in place would meet these conditions.

So that leaves two possibilities:

- 1) Tens of thousands of people qualify for section 4 support and are accommodated indefinitely by the Home Office, unable to work
- 2) Tens of thousands of people don't qualify for section 4 support and are left permanently destitute, unable to get support or work

There are, then, a number of questions about the impact of the bill and the cost of implementing it that arise. These include:

- How many people will be impacted?
- How many people will be detained?
- How many people will be removed?
- How many people will not be removed, but will also not have their claim processed in the UK?
- What is the cost of detaining and supporting people?

⁹ <https://www.thetimes.co.uk/article/migrant-crisis-65-000-will-cross-channel-in-small-boats-this-year-6mtdgkng>

¹⁰ Clause 5(4) and new section 80AA in Part 4A of the Nationality, Immigration and Asylum Act 2002, as inserted by clause 50

¹¹ Clause 5(8) and (9)

¹² <https://www.gov.uk/government/news/uk-and-rwanda-strengthen-agreement-to-deal-with-global-migration-issues>

¹³ Clause 9

None of these questions have been answered. At the time of writing, the UK Government has not published any impact assessments, although it has committed to doing so “in due course”.¹⁴

Given the pace at which the Government is asking Parliament to pass this legislation, and in the absence of a formal Government publication, Refugee Council has made an assessment of the impact of the bill using publicly available sources.

Refugee Council’s analysis

Refugee Council’s analysis shows:

- **Inadmissibility:** In the first three years of the legislation coming into effect, between **225,347 and 257,101 people will have their asylum claims deemed inadmissible**. This includes between 39,500 and 45,066 children, consisting of between 13,065 and 14,906 unaccompanied children and between 26,435 and 30,160 children with family members.
- **Removals:** Between 66,996 and 67,227 people will be removed, either to their own country or a third country.
- **Left in limbo:** At the end of the third year, **between 161,147 and 192,670 people will have had their asylum claims deemed inadmissible but not have been removed**. They will be unable to have their asylum claims processed, unable to work and will be reliant on Home Office support and accommodation indefinitely.
- **Costs:** Between £3.8bn and £4bn will have been spent on detaining up to 257,101 people.
- Between £4.9bn and £5.7bn will have been spent on accommodating people who can’t be removed. **In total, between £8.7bn and £9.6bn will have been spent on detaining and accommodating people impacted by the bill.**

The above figures assume an increase of the capacity of the detention estate of 10,728 bed spaces and between 50% and 100% of people being detained for an average of 28 days. If the Home Office wished to detain people for longer than that, the the cost of expanding the estate and the ongoing detention costs would increase.

The figures also assume that all those whose asylum claims are deemed inadmissible successfully apply for support under section 4 of the Immigration Act 1999, and are accommodated in places that cost the same as the current dispersal accommodation. **If people were required to be accommodated in hotels, the cost would be significantly more. For example, there are currently 51,000 people in the asylum system accommodated in 395 hotels.¹⁵ To accommodate the 192,670 people whose claims would be deemed inadmissible but who wouldn’t be removed at the end of the third year would, on that basis, require 1,493 hotels to be used.**

This doesn’t include other ongoing costs such as those connected to the Rwanda scheme or other third country removal agreements, and potential unlawful detention claims.

The full figures and assumptions used for this analysis are set out in appendix 3 below.

¹⁴ <https://questions-statements.parliament.uk/written-questions/detail/2023-03-08/161307>

¹⁵ <https://www.bbc.co.uk/news/uk-64991234>

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Safe routes

Despite the expansion of safe ways of people to reach the UK being a crucial way of reducing the number of people taking dangerous journeys, the bill does nothing to increase them. Instead, the bill will require the Home Secretary to set an annual cap on the number of people who can arriving through safe routes.¹⁶ There's no minimum number – the cap could be 20 or 20,000. But even if the cap is relatively high, there is no obligation for the government to then facilitate that number of people arriving.

In 2022, 83% of people who crossed the channel came from just seven countries. **During the same period, only 1,185 people from those same countries were resettled through a safe route, working in collaboration with the UNHCR, to the UK.** The majority of those people were resettled from Syria, with only 19 and 10 people resettled from Eritrea and Iran respectively.¹⁷

| Nationality | Arrivals via small boat in 2022 | People resettled to the UK in 2022 |
|-------------|---------------------------------|------------------------------------|
| Albania | 11,241 | 0 |
| Afghanistan | 4,781 | 72 |
| Iran | 3,594 | 10 |
| Iraq | 3,074 | 137 |
| Syria | 2,191 | 569 |
| Eritrea | 1,509 | 19 |
| Sudan | 1,211 | 218 |

This clearly demonstrates that the vast majority of refugees who make dangerous journeys being exploited by ruthless people smugglers have no choice – they do not have access to safe routes to reach the UK.

The safe routes available to refugees from other parts of the world are extremely limited, and fewer people are currently accessing them compared to before the Covid-19 pandemic. Refugee resettlement provided in collaboration with the UNHCR is currently 75% lower than the pre Covid level in 2019, and refugee family reunion visas¹⁸ are 40% down on their pre-covid level as this table shows.

| Safe Route | Resettlement arrivals / family reunion visas issued 2019 | Resettlement arrivals / family reunion visas issued in 2022 | Change | % change |
|----------------|--|---|--------|----------|
| Resettlement | 5,612 | 1,185 | -4,427 | -75% |
| Family Reunion | 7,456 | 4,473 | -2,983 | -40% |

Source: Home Office statistics year ending September 2022, Asylum and resettlement summary tables, tables Res_01, Fam_01

¹⁶ Clause 51

¹⁷ See Refugee Council's briefing *The Truth About Channel Crossings* <https://www.refugeecouncil.org.uk/wp-content/uploads/2023/01/Refugee-Council-Channel-Crossings-briefing-March-2023.pdf>

¹⁸ Adults with refugee status in the UK can apply to sponsor their close family members to join them. These family members are limited to spouses/partners and dependent children under the age of 18. There is no fee to apply for a visa, although people need to attend a Visa Applicant Centre to submit their application and, if their application is successful, pay for their travel to the UK.

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Conclusion:

Refugee Council's analysis shows that, if enacted in its current form, the bill will leave tens of thousands of refugees unable to access the protection they are entitled to under international law. It will cause huge misery, cost billions of pounds, and do nothing to alleviate the current crisis and pressures within the asylum system.

A new backlog of people stuck in the UK will be created on top of the already 160,000 people waiting for a decision on their asylum claim, while doing nothing to provide the safe routes that are a vital part of reducing the number of people who take dangerous journeys to reach the UK.

Appendix 1:

Impact of Illegal Migration Bill: inadmissibility, removals, detention and accommodation

| | Year 1 ¹⁹ | Year 2 | Year 3 | Total |
|--|----------------------|--------|--------|---------|
| Asylum applications (including dependents) | 106,349 | 98,180 | 87,171 | 291,700 |
| People crossing the channel | 65,000 | 55,725 | 45,982 | 166,707 |
| Asylum applications by people crossing the channel | 57,253 | 49,084 | 40,502 | 146,839 |
| Asylum applications by people not-crossing the channel | 49,096 | 46,669 | 44,242 | 140,007 |
| Total number of people subject to 4 conditions in clause 2 - upper estimate | 136,462 | 76,277 | 64,230 | 276,969 |
| Total number of people subject to 4 conditions in clause 2 - lower estimate | 124,477 | 65,494 | 55,244 | 245,215 |
| Total asylum claims declared inadmissible under clause 4 - upper estimate | 128,716 | 69,636 | 58,750 | 257,101 |
| Total asylum claims declared inadmissible under clause 4 - lower estimate | 116,731 | 58,853 | 49,764 | 225,347 |
| Total asylum claims from separated children declared inadmissible under clause 4 - upper estimate | 7,463 | 4,037 | 3,406 | 14,906 |
| Total asylum claims from separated children declared inadmissible under clause 4 - lower estimate | 6,768 | 3,412 | 2,885 | 13,065 |
| Total asylum claims from accompanied children declared inadmissible under clause 4 - upper estimate | 15,099 | 8,169 | 6,892 | 30,160 |
| Total asylum claims from accompanied children declared inadmissible under clause 4 - lower estimate | 13,693 | 6,904 | 5,838 | 26,435 |

¹⁹ Year 1 figures for those subject to the 4 conditions in clause 2, inadmissibility, detention and support include estimate numbers of those who arrive between the bill being introduced on 7 March 2023 and 7 November 2023, an estimated date that clause 2 will come into force.

| | | | | |
|--|---------|--------|---------|---------|
| Total removals - upper estimate | 33,086 | 21,993 | 12,148 | 67,227 |
| Total removals - lower estimate | 33,002 | 21,910 | 12,085 | 66,996 |
| Total detained - upper estimate | 136,462 | 76,277 | 64,230 | 276,969 |
| Total detained - lower estimate | 62,239 | 32,747 | 27,622 | 122,608 |
| Total accommodated under section 4 Immigration Act 1999 - full year | 49,200 | 95,630 | 143,272 | |
| Total accommodated under section 4 Immigration Act 1999 - part year - upper estimate | 46,430 | 47,642 | 46,602 | |
| Total accommodated under section 4 Immigration Act 1999 - part year - lower estimate | 34,529 | 36,943 | 37,679 | |

Appendix 2:

Costs of Illegal Migration Bill: inadmissibility, detention and accommodation

| | Year 1 | Year 2 | Year 3 | Total |
|---|--------------------------|------------------------|------------------------|--------------------------|
| Detention | | | | |
| Expanding estate to 13,014 | £2,574,769,463.45 | 0 | 0 | |
| <i>Detaining 50% of people – 28 days</i> | | | | |
| Upper estimate | £230,058,926.43 | £128,593,911.67 | £108,284,192.55 | |
| Lower estimate | £209,853,787.83 | £110,415,383.34 | £93,134,114.63 | |
| <i>Detaining 100% of people – 28 days</i> | | | | |
| Upper estimate | £460,117,852.86 | £257,187,823.33 | £216,568,385.10 | |
| Lower estimate | £419,707,575.66 | £220,830,766.69 | £186,268,229.27 | |
| Total detention cost | | | | |
| Detaining 50% of people - lower estimate | £3,204,330,826.93 | £331,246,150.03 | £279,402,343.90 | £3,814,979,320.87 |
| Detaining 100% of people - Upper estimate | £3,264,946,242.74 | £385,781,735.00 | £324,852,577.65 | £3,975,580,555.39 |
| | | | | |
| Accommodation for non-removed | | | | |
| <i>Supported for full year (residual pop.²⁰)</i> | | | | |

²⁰ These are the people whose asylum claims were deemed inadmissible under the bill in the previous year but who then weren't removed.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| Upper estimate | £789,029,889.50 | £1,533,632,220.83 | £2,297,681,956.13 | |
| Lower estimate | £789,029,889.50 | £1,348,404,643.68 | £1,945,936,414.85 | |
| <i>Detaining 50% of people</i> | | | | |
| Upper estimate | £358,545,095.98 | £367,909,519.15 | £359,877,498.75 | |
| Lower estimate | £266,641,529.70 | £285,289,020.68 | £290,966,999.44 | |
| <i>Detaining 100% of people</i> | | | | |
| Upper estimate | £344,789,026.30 | £394,945,339.74 | £335,831,798.43 | |
| Lower estimate | £256,411,465.18 | £306,253,476.28 | £271,525,647.04 | |
| Total accommodation cost | | | | |
| Detaining 50% of people - lower estimate | £1,055,671,419.20 | £1,633,693,664.36 | £2,236,903,414.28 | £4,926,268,497.84 |
| Detaining 100% of people - upper estimate level | £1,133,818,915.80 | £1,928,577,560.56 | £2,633,513,754.56 | £5,695,910,230.91 |
| | | | | |
| Total detention and support costs | | | | |
| Lower estimate | £4,260,002,246.13 | £1,964,939,814.39 | £2,516,305,758.19 | £8,741,247,818.71 |
| Upper estimate | £4,398,765,158.54 | £2,314,359,295.56 | £2,958,366,332.20 | £9,671,490,786.30 |

Appendix 3:

Assumptions and data sources

- The duty to remove, inadmissibility and detention provisions of the bill come into force on 7 November 2023, six months after the bill was introduced. The duty to remove cannot come into force before regulations have come into force relating to interim measures of the European Court of Human Rights.²¹
- Between 7 March 2023 and 6 November 2023, 49,200 people arrive by small boat into the UK and will then come under the powers within the bill.²²
- 65,000 people will cross the Channel in small boats in the first year that the powers are in force, reducing to 55,725 in year 2 and 45,982 in year 3.²³

²¹ Clause 57(6). Regulations under section 49 relating to interim measures of the European Court of Human Rights must be laid in draft in Parliament and approved by both the House of Commons and House of Lords.

²² Between 14 April 2022 and 6 November 2022 34,633 people arrived by small boat – the published daily statistics do not go further back than 14 April 2022. Ministry of Defence, Migrants detected crossing the English Channel in small boats - monthly data <https://www.gov.uk/government/statistics/migrants-detected-crossing-the-english-channel-in-small-boats-monthly-data> This has then been increased to reflect the 65,000 total crossings predicted for 2023.

²³ This is based on the proportion of Albanians crossing the channel in year 1 to be equal to that in 2022 (29% - Home Office, Irregular Migration Statistics year ending December 2022, table Irr_D01), and then the numbers of Albanians crossing to halve in year 2 and to 10% of the year 1 levels in year 3 as a result of successful removals. There is predicted to be a 5% reduction in channel crossings across the other nationalities in year 3.

- 88% of people who cross the Channel in a small boat each year subsequently apply for asylum.²⁴
- 21% of total asylum applicants or 21% of non-channel crossing arrival asylum applicants are subject to the bill provisions each year.²⁵
- Separated children will make up 6% of asylum applicants each year, with accompanied children making up a further 12%.²⁶
- All Albanians subject to the bill will be removed from the UK.
- 10,000 people will be removed to Rwanda each year.
- A further 0.7% of people whose applications are declared inadmissible will be removed each year.²⁷
- It costs £240,000 to add one extra bed space to the detention estate.²⁸
- People detained under the bill will, on average, be detained for 28 days.
- The detention estate needs to add 10,728 extra bed spaces.²⁹
- It costs £120.42 to detain someone each day.³⁰
- The lower estimate assumes 50% of people will be detained under the bill. The upper estimate assumes 100% of people will be detained.

²⁴ In 2022, 40,302 people claimed asylum out of 45,755 total crossings. <https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-december-2022/irregular-migration-to-the-uk-year-ending-december-2022#how-many-migrants-were-detected-arriving-in-the-uk-via-small-boats>

²⁵ The Home Office does not published data on how many asylum applicants arrived in the UK irregularly. According to a 2020 inspection report by the Independent Chief Inspection of Borders and Immigration, there were 7,554 and 10,034 people detected via 'lorry drops' in the UK in 2018 and 2019 respectively.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/933953/An_inspection_of_the_Home_Office_s_response_to_in-country_clandestine_arrivals_lorry_drops_and_to_irregular_migrants_arriving_via_small_boats.pdf In those two years, there were 84,020 asylum applications. Assuming all those detected via 'lorry drops' claimed asylum, they would have accounted for 21% of asylum applications across those two years. The Refugee Council considers this to be a conservative figure for the number of people that will be impacted by the legislation.

²⁶ This is based on 5,183 children under 18 making applications as an unaccompanied child in 2022, and 10,487 accompanied children either being a main applicant or dependent. *Home Office, Immigration Statistics, Asylum and Resettlement – Applications, Initial Decisions, and resettlement, table Asy_D01*

²⁷ This is based on the number of people the Home Office has been able to secure returns agreements for as part of the new inadmissibility process introduced on 31 December 2020. Between 1 January 2021 and 31 March 2022, the Home Office issued 12,286 Notices of Intent where they believed someone's claim may be inadmissible. Up to 30 September only 83 inadmissibility decisions – which can only be made once the Home Office have an agreement with a third country for the removal of the individual concerned – had been issued. This means that the Home Office has only been able to get agreement that an individual can be removed in 0.7% of cases. *Home Office statistics year ending December 2022, Asylum and resettlement summary tables, table Asy_09a*

²⁸ The refurbishments of Campsfield House and Haslar were estimated to cost between £90m and £100m, and £150m and £160m respectively. <https://questions-statements.parliament.uk/written-questions/detail/2022-10-19/HL2721>. The capacities of the sites will be 400 and 600 people respectively. Using the lower end estimates, this means it will cost £240m to add 1,000 bed spaces.

²⁹ The Home Office doesn't publish a figure for the capacity of the detention estate. There are currently seven immigration removal centres in operation, with a combined capacity of 2,196, and a further three residential Short-term Holding Facilities with a capacity of 90. This does not include Manston Processing Centre as it is not a residential Short-Term Holding Facility. It also does not include the current provision for immigration detention within prison, which provides between 400 and 650 additional spaces. However, the immigration detention prison capacity will continue to be required for detaining those who this bill doesn't cover, in particular time-served Foreign National Offenders. This gives a current detention capacity for this report of 2,286 bed spaces. On 4 September 2022, if all channel crossing arrivals had been detained for 28 days this would have required 9,161 people to be detained. Factoring in the increase in arrivals over the year to a predicted 65,000, this means 10,728 extra bed spaces are required.

³⁰ *Immigration Enforcement transparency data Q4 2022, table DT_02*. It is likely that this would be higher to detain children. British Refugee Council (commonly called the Refugee Council) is a company limited by guarantee registered in England and Wales, [No 2727514] and a registered charity, [No 1014576]. Registered office: 134-138 The Grove, Stratford, E15 1NS, United Kingdom. VAT reg no: 936 519 988

- All those whose claims are declared inadmissible under the bill successfully apply for support under Section 4 of the Immigration Act 1999.³¹
- Accommodation is provided in dispersal or equivalent accommodation, at a cost of £42.64 per day. People are provided with financial support at the current rate of £45 per week.
- People who are detained under the bill are released to accommodation under Section 4 of the Immigration Act 1999, with the exception of those who are removed who are assumed to have been removed from detention.
- For the purposes of the accommodation costs, people arrive in the UK evenly distributed throughout the year.³²

³¹ Clause 9 of the bill amends section 4 of the Immigration Act 1999 so that people whose claims are declared inadmissible under the bill are entitled to support under that section.

³² This is to avoid an assumption that all those arriving within a given year are then accommodated for the whole year, minus any time spent in detention.