



Rt Hon Priti Patel MP
Home Secretary
Home Office
2 Marsham Street
London
SW1P 4DF

27 March 2020

Dear Home Secretary,

I write in my capacity as Chair of the APPG on Immigration Detention. The group comprises over 30 parliamentarians from across the political spectrum who share concerns about the use of immigration detention in the UK.

My colleagues and I wish to raise concerns about the Home Office's response on immigration detention in light of the COVID-19 crisis.

We gather that on Wednesday 11 March, NGOs Medical Justice, Bail for Immigration Detainees, JCWI, Women for Refugee Women, Right to Remain, ILPA, Migrants Organise, Medact, and Liberty wrote to you to highlight the very serious risk of a COVID-19 outbreak at immigration removal centres (IRCs) and to ask what measures the Home Office was taking in response.

On Wednesday 25 March, in the context of a legal challenge by NGO Detention Action, the Home Office announced additional COVID-19-related measures at IRCs.¹ These included:

- ensuring that detainees with COVID-19 symptoms are able to self-isolate in single-occupancy rooms
- a review of cleaning practices at IRCs to ensure compliance with Public Health England (PHE) guidance
- provision of anti-bacterial cleaning materials to detainees, upon request
- introduction of social distancing measures in communal areas

In our view, these basic and obvious steps are not only inadequate, but have also come far too late. As a result, we believe the Home Office may have put detainees, many of whom suffer from poor health – including the conditions that put people at risk of severe illness from COVID-19 – at unnecessary additional risk of contracting and / or transmitting the disease. We are also concerned that your department's response appears only to have come in the face of legal action, and many days after NGOs initially contacted you. It should

¹ See 'Over 350 Released from Immigration Detention and All Cases to be Urgently Reviewed' (*Detention Action*, 26 March 2020). Available at: <https://detentionaction.org.uk/2020/03/26/press-release-over-350-released-from-immigration-detention-and-all-cases-to-be-urgently-reviewed/>

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not take costly and time-consuming litigation to ensure the Home Office prioritises the welfare of the people it has chosen to detain.

The Home Office also announced that it has released approximately 350 detainees in recent days in response to the COVID-19 crisis, and that it will conduct a review of all other cases.² Whilst we welcome such moves, we remain extremely concerned for the welfare of the 736 people that the Home Office has confirmed it continues to hold, many of whom are especially vulnerable due to their age, co-existing physical illnesses and, in a high proportion of cases, mental illness. We call on you to go much further in your approach to these remaining detainees and, in light of the many concerns raised, to release them immediately.

If this is not possible, we urge you to conduct the reviews of all remaining detention cases with the utmost urgency, and with a strong presumption in favour of release.

We have also heard alarming reports of significant changes to the detention regime at IRCs in recent days, including severe restrictions on people's movement (e.g. people being required to stay in their rooms and, in some cases, being locked in their rooms); reduced access to phones, emails, internet and faxes; and a ban on all visits, including by legal representatives and independent clinicians.

These changes to the regime would have profound implications for detainees' mental and physical health, and impede their access to justice and right to a second medical opinion. In our view they would also appear to represent a breach of the Detention Centre Rules 2001, which state that, amongst other things, detainees should be held in "*secure but humane accommodation... in a relaxed regime with as much freedom of movement and association as possible*" and that detainees' access to a family life, regular visits, legal advice, a registered medical practitioner and letters / faxes must be guaranteed.

We ask you to confirm whether or not such changes to the detention regime have indeed been introduced, and what, if any, assessment your department has made as to the lawfulness of continued detention in light of such changes.

I look forward to receiving a response at your earliest opportunity.

Yours sincerely

Alison Thewliss MP

Chair, APPG on Immigration Detention

² Diane Taylor, 'High court rejects call to free 736 detainees at risk from coronavirus' *The Guardian* (London, 26 March 2020). Available at: <https://www.theguardian.com/uk-news/2020/mar/26/high-court-rejects-call-to-free-736-detainees-at-risk-from-coronavirus>