

Chris Philp MP
Direct Communications Unit
2 Marsham Street
London
SW1P 4DF
United Kingdom

CC: Tyson Hepple, Director General of Immigration Enforcement.

28/08/2020

No return to normal

Dear Chris Philp,

We are writing to you as 32 charities and NGOs that support and advocate for people going through immigration detention to raise our concerns about the nature of the 'return to normal' currently underway as lockdown measures are (on a national level at least) tentatively eased.

The Covid-19 pandemic has been a challenging time for all, both on a personal and structural level. However, it has also provided an opportunity to rethink the way we work and assumptions we had taken for granted.

As in most other areas, Covid-19 has led to a number of practical changes to how the Home Office operates. Many of these have been welcomed by stakeholders, such as the cessation of reporting, regional centres for initial asylum submissions and changes to how further submissions are made. In regard to immigration detention, Covid-19 has led to a significant, and very welcome, reduction in the numbers detained.

However, the challenges of Covid-19 have also highlighted some of the structural issues that stakeholders have repeatedly raised concerns about in the period leading up to the pandemic, such as weaknesses in pre-detention screening for vulnerability; failure of the Adults at Risk policy and other safeguards to identify and protect vulnerable individuals in detention; and barriers to the release of vulnerable detainees due to failure to source suitable accommodation and care in the community.

We understand that in light of the HMPPS decision to take back the Morton Hall site, the Home Office is considering options to 'mitigate the loss'. We hope the current situation can be viewed as an opportunity to strategically review the size and scale of the UK's detention estate with a view to reducing numbers further.

As restrictions are slowly relaxed it is important that we do not simply revert to pre-Covid practices as a matter of default but that we seize the opportunity to reassess some of the assumptions and operations of the past and examine how we can build on the positive changes made in response to Covid-19 going forward.

To achieve this, we call on the Home Office:

- To end the routine use of detention, to commit to continuing to reduce detention numbers even further from where they are now and to re-examine the role, if any, that detention plays in immigration enforcement.

- To commit to a shift to community-based solutions in place of the continued reliance on immigration detention.
- To bring an end to the procedures collectively known as ‘the hostile/compliant environment’ in order to allow people to live in dignity and to comply with bail conditions imposed by the Home Office in lieu of immigration detention.
- To improve the understanding, identification and management of vulnerability in all levels and systems of the Home Office in order to ensure people are properly protected.
- To ensure that existing safeguards do not differentially disadvantage Foreign National Offenders, those held in prisons under immigration powers or any other group.
- To build partnerships and referral pathways to ensure that ongoing care and accommodation needs do not form a barrier to release from, or alternatives to, detention.
- To reduce the volume/frequency of reporting and to stop using reporting for the purpose of routine enforcement of compliance, and instead ensure that any engagement is ‘meaningful’ and provides an opportunity to identify safeguarding issues or vulnerabilities.
- To commit to addressing the cultural issues highlighted by the Windrush Lessons Learned Review – to move away from a culture of disbelief and a focus on enforcement, towards an approach which is rooted in humanity and prioritises protection.
- To commit to transparent and meaningful engagement with stakeholders, including involving stakeholders at an early stage and committing to responding to concerns raised in full.

Times of great change provide great opportunity for improvement. We hope you will take up the above recommendations and we look forward to working with you to make these a reality.

Please send any response to Sam Grant, Policy and Campaigns Manager at Liberty (samg@libertyhumanrights.org.uk)

Kind regards

Mark Goldring, Director, **Asylum Welcome**

Ali McGinley, Director, **Association of Visitors to Immigration Detainees (AVID)**

Pierre Makhoul, Assistant Director, **Bail for Immigration Detainees**

Sian Summers-Rees, Chief Officer, **City of Sanctuary**

Bella Sankey, Director, **Detention Action**

Jonathan Ellis, Project Director, **Detention Forum**

Anna Pincus, Director, **Gatwick Detainees Welfare Group**

Ellen Waters, Director of Development, **Doctors of the World UK**

Steve Crawshaw, Director of Policy and Advocacy, **Freedom from Torture**

Karolina Maroszek, Centre Manager, **Haringey Migrant Support Centre**

Kerry Smith, Director, **Helen Bamber Foundation**

Nicole Francis, Chief Executive, **ILPA**

Sarah Teather, Director, **Jesuit Refugee Service UK**

Martha Spurrier, Director, **Liberty**

Emma Ginn, Director, **Medical Justice**

Sebastian Rocca, CEO, **MicroRainbow**

Fizza Qureshi and Dorian Leatham, CEO, **Migrants' Rights Network**

Nazek Ramadan, Director, **Migrant Voice**
Bill MacKeith, treasurer, **Oxford Against Immigration Detention**
Karen Pearse, Director, **PAFRAS**
Fred Ashmore, **Quaker Asylum and Refugee Network (QARN)**
Paul Parker - Recording Clerk, **Quakers in Britain**
Maurice Wren, Chief Executive, **Refugee Council**
Mia Hasenson-Gross, Executive Director, **René Cassin**
Lisa Matthews, Coordinator, **Right to Remain**
Tanya Long, Director, **Samphire**
Kate Alexander, Director, **Scottish Detainee Visitors**
Nancy Kelley, CEO, **Stonewall**
Stuart Crosthwaite, Secretary, **South Yorkshire Migration and Asylum Action Group (SYMAAG)**
Leila Zadeh, Executive Director, **UKLGIG**
Judith Carter, **The University of Liverpool Law Clinic**
Mel Steel, Director, **Voices in Exile**