

Rt. Hon Priti Patel
Secretary of State for the Home Department
Home Office
2 Marsham Street
London
SW1P 4DF

cc. Tyson.Hepple@homeoffice.gov.uk;
Julia.Dolby@homeoffice.gsi.gov.uk

14th January 2021

Dear Home Secretary,

We are writing to you to call for the release of all immigration detainees held in Immigration Removal Centres and Prisons in order to prevent a full-scale crisis.

On 11th March 2020 we wrote to the Home Office along with 10 other organisations warning that there was a very serious risk of an uncontrolled outbreak of COVID-19 in immigration detention. We warned that immigration removal centres would present fertile conditions for the spread of coronavirus. Immigration removal centres are poorly ventilated and there is a steady stream of staff and detainees moving in and out of the centres, who can, and have, transmitted infection. Evidence provided by Professor Richard Coker in a legal challenge against the government brought by Detention Action found that Covid-19 spreads rapidly in 'congregate settings' such as prisons and immigration removal centres. Immigration detention does not just put those detained risk – he argued that detention centres would be likely to become 'epidemiological pumps' that can drive the spread of coronavirus in the wider community.

The Home Office did not release everyone but instead introduced a series of measures including an 'enhanced cleaning regimes', enhanced screening and isolation procedures, and a commitment to review the detention of every individual held. However the situation today is far more urgent. Due to a more infectious variant, Coronavirus is spreading far more rapidly than it ever has done in immigration detention. It is now abundantly clear that nothing short of releasing all immigration detainees would be sufficient to prevent a full-scale crisis.

Coronavirus in Immigration Removal Centres:

Brook House Gatwick IRC has been forced to close due to an outbreak of coronavirus that has been spreading rapidly through the centre over a number of weeks. Remaining detainees were transferred to Colnbrook IRC – thereby putting detainees and staff at that centre at risk. Evidently this was a devastating outbreak although the Home Office has not confirmed how many people tested positive.

There has been a positive test in Harmondsworth IRC and we understand that tighter restrictions have been implemented – one of our clients informed us that they were prevented from accessing the computer room as a consequence of the detection of a COVID 19 case. There was a recent outbreak of coronavirus in Morton Hall IRC. We are concerned that people in detention have less access to support, legal advice or medical assistance and evidence as lawyers and NGOs are not entering the centres.

Coronavirus in prisons



The number of people held in prisons under immigration powers has increased during the pandemic. The most recent data available demonstrated that on the 30th September 2020 there were 498 people held under immigration powers in prisons.

Coronavirus is spreading with deadly rapidity through UK prisons. According to Ministry of Justice statistics the total cumulative number of prisoners having tested positive for COVID-19 since the beginning of the pandemic doubled in October, and doubled again in November. We understand there is a coronavirus outbreak in HMP Chelmsford and 60 people have tested positive. Our client detained in HMP Norwich has informed us that there are 85 coronavirus cases on his wing and he is locked in his cell 24 hours per day. Due to an outbreak in HMP Durham our clients have been unable to receive post. Outbreaks in HMP Lewes and HMP Elmley mean that immigration detainees cannot attend bail hearings. There are outbreaks in HMP Wormwood Scrubs, HMP Rochester, HMP Risley and HMP Bedford and probably many other prisons. Since March in most prisons people have been locked in their cells for between 23 and 24 hours per day with HMIP warning of 'a real risk of psychological decline'. Moreover, without access to mobile phones, internet or legal visits it is practically impossible for people held under immigration powers to access legal assistance to challenge their detention or apply for bail.

Enforced removals:

Carrying out any enforced removals is unacceptably risky in the current environment. We were informed that the Home Office's scheduled charter flight to Romania was cancelled due to an individual testing positive for COVID-19. It was also [reported](#) that an individual deported to Jamaica subsequently tested positive for coronavirus. HMIP inspected a charter flight in June and [reported](#) that there were 'few changes to reduce the risks of infection' and at times social distancing was 'impossible'. Given that enforced removals cannot be carried out safely and should not be carried out at all, there is no justification for continuing to hold people in immigration detention.

Conclusion and recommendations:

It is now clearer than it has ever been that the continued use of immigration detention cannot be consistent with public health and undermines national efforts to bring coronavirus under control. The Home Secretary herself this week urged people to 'play your part' in the fight against coronavirus, reiterating the urgency of the situation. We therefore urge the government to:

- Release all immigration detainees to safe and suitable accommodation
- Confirm that no removals will take place until coronavirus has been brought under control.
- Release regular data on coronavirus in immigration detention – such as the [monthly data](#) released by the Ministry of Justice on coronavirus in prisons

If the government will not comply with this request, please inform us:

1. Why you do not consider it to be necessary to release all immigration detainees despite recent developments?
2. What steps have been implemented to prevent the spread of the more infectious strain of COVID-19 within Immigration Removal Centres?



3. What assessment, if any, has been made of the impact of any changes upon the welfare of immigration detainees?
4. What changes have been made to the operation of enforced removals to prevent the spread of coronavirus?
5. What additional detention review processes are being implemented?
6. Are there any additional detention policies in operation? If so please can we have sight of these?
7. Please provide us with data relating to the rates of coronavirus among people in immigration detention in both the removal centres and prisons.

We ask that you please respond to this letter as a matter of urgency.

We would be grateful if you would supply the requested information electronically via the following e-mail addresses:

- pierre@biduk.org
- rudy@biduk.org

Thank you for your assistance. We look forward to hearing from you.

Pierre Makhoulouf
Assistant Director,
Bail for Immigration Detainees

We have shared a draft of this letter with the following organisations who have each indicated their shared concern and support for the matters we raise:

All African Women's Group, Crossroads Women's Centre
Amnesty International UK
Association of Visitors to Immigration Detainees
Asylum Aid
Bajaria Solicitors
Bindmans LLP
Bristol Defend Asylum Seekers
Bristol Defend the Asylum Seekers Campaign (BDASC)
Bristol Refugee Rights
Bristol Signing Support group
Chambers of Glen Hodgetts
Choose Love
City of Sanctuary UK
Community Action for Refugees and Asylum Seekers
Coventry Asylum and Refugee Action Group
Coventry Refugee and Migrant Centre
Detention Action
Director Duncan Lewis Wales;



End Heathrow Immigration Detention
English for Action (EFA) London
First Wednesday LGBT Asylum Support Group, Manchester
Focus on Labour Exploitation (FLEX)
Forrest Medico-Legal Services
Garden Court North Chambers immigration team
Gatwick Detainees Welfare Group
Global Link
Global Women Against Deportations
Good Chance Theatre
Govan Community project
Hackney Migrant Centre
Helen Bamber Foundation
Humans for Rights Network
Jesuit Refugee Service UK
Jewish Council for Racial Equality (JCORE)
Joint Council for the Welfare of Immigrants
Kalayaan
Kenworthy's Chambers immigration team
Lesbian and Immigration Support group Manchester (L.I.S.G)
Lesbians and Gays Support the Migrants
Lewes Foreign National Support Project
Liberty
Manchester Immigration Detainee Support Team
Medact
Medical Justice
Merseyside These Walls Must Fall
Migrant Voice
Migrants' Rights Network
Migrants' Rights Network,
Morton Hall Detainee Visitors' Group
Newham Anti-Raids
No8 Chambers' Immigration Team
No Borders Manchester
Notre Dame refugee centre
Polish Migrants Organise for Change
Project 17
RAMFEL
Refugee Media Centre
Refugee Rights Europe
Restoration of Human Rights Zimbabwe (UK Chapter)
Right to Remain
Sapphire
Settled
Simpson Millar
South London Refugee Association



These Walls Must Fall Manchester (T.W.M.F)
Thousand 4 Thousand
Vinita Templeton
Voices in Exile
Waging Peace
Waterloo Community Counselling and the Multi-Ethnic Counselling Service
Women Against Rape
Women for Refugee Women
the3million

