



Ministry  
of Justice

Rt Hon Edward Argar MP  
Minister of State for Justice

Joanna Cherry KC MP  
Chair, Joint Committee on Human Rights  
Committee Office  
House of Commons  
London  
SW1A 0AA

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26<sup>th</sup> March 2024

*Dear Joanna,*

**UK – PHILIPPINES PRISONER TRANSFER AGREEMENT**

Thank you for your letter of 13 March 2024 in relation to the Philippines Prisoner Transfer Agreement (PTA) and potential human rights concerns should we seek to transfer Filipino prisoners. The UK has a strong track record of ensuring rights and liberties are protected domestically, and of fulfilling our international human rights obligations. I would like to reassure you that we always consider the human rights implications for prisoners in scope for prisoner transfer.

The current challenges for the Philippines prison system are well documented and the signing of the PTA is primarily to enable British nationals in prison there to apply to return should they want to. Having an agreement to allow the return of British prisoners will enable them to be closer to home with easier access to support and services that will better meet their welfare and rehabilitation needs. As you acknowledge, the PTA is voluntary (so a prisoner would need to consent to transfer) but even in these circumstances we do not plan to consider any requests for transfer from Filipino prisoners at this time.

In terms of PTA process, HM Prison and Probation Service (HMPPS) has a specialist transfer team that considers all cases including applications from prisoners (if a voluntary agreement) or individuals potentially in scope (if there is compulsory PTA with a country). All prisoner transfers require the Home Office to obtain deportation orders and representations against transfer (including on the grounds of prison conditions) can be made by prisoners at this stage of the process. If a deportation order is successfully made, HMPPS will then analyse the latest available intelligence about prison conditions from international organisations such as the Council for Prevention of Torture and Penal Reform International. For voluntary transfers, prisoners are presented with the terms of transfer prior to repatriation and can withdraw their consent and stop the process at any time up to the flight departure. Where HMPPS have serious concerns relating to prison conditions, they will refuse a transfer on human rights grounds even if the prisoner is actively lobbying to return.

In terms of informing Parliament about prisoner transfers, we do not pro-actively publish information on individual transfers, but we often provide aggregated information in response to Parliamentary Questions. Last year we made 33 transfers to countries that included Romania, Lithuania and Poland.

I hope this information is helpful. I am copying this letter to the Chair of the House of Lords International Agreements Committee, the Chair of the Justice Select Committee and the Chair of the Foreign Affairs Committee. We will be writing back to the International Agreement Committee shortly.

**RT HON EDWARD ARGAR MP**