



Home Office

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Rt Hon. Yvette Cooper MP
Chair, Home Affairs Select Committee
House of Commons
London
SW1A 0AA

26 March 2021

Dear Chair,

Following our session with the Committee on 24 February, I committed to write to you with some additional details on points raised throughout our exchange.

Immigration removal centres

You asked for clarification on why the Home Office deems the new immigration removal centre (IRC) at Hassockfield to be necessary. The Government's position has not changed. Immigration detention is a limited but essential aspect of immigration control. We have committed to minimising numbers in detention, and we detain men and women who are in the UK unlawfully, or are Foreign National Offenders, only where it is clear that that is necessary to secure their removal and protect the public. We will always seek to facilitate voluntary return as an alternative to detention and enforced removal.

The immigration removal estate is kept under regular review, to ensure that the Home Office has sufficient capacity and provides value for money. In preparation for the transfer of the Morton Hall IRC to the prison service in July this year, the Home Office has acquired the former Hassockfield Secure Training Centre in County Durham and will open it as an IRC for around 80 women by the autumn. We plan to supplement the new Hassockfield IRC by continuing to provide some limited detention capacity for women at Colnbrook, Dungavel and Yarl's Wood IRCs, in order to provide flexibility in placement and shorter escorting journeys for those in detention. Over time this will mean that overall detention capacity for women will be reduced significantly.

ETS: TOEIC

You asked for an indication on what action the department would take following the completion of the tribunals related to the ETS: TOEIC issue. As I outlined during the evidence session, we are awaiting the outcome of two cases that were part-heard before the Upper Tribunal (UT) on 1 and 2 March. Parties have been invited to submit further written representations and the cases will come back to the UT on 1 April if required. Once the UT promulgates its decision, and we have reviewed our approach, I will write to the Committee.

EU Settlement Scheme

You asked how many looked-after children have had their applications to the EU Settlement Scheme (EUSS) made by the local authorities, and what percentage is that of the total population of looked-after children. From 10 July to 30 October 2020, the Home Office undertook a survey of local authorities in England, Wales and Scotland and of Health and Social Care Trusts in Northern Ireland, to obtain numbers of looked-after children and care leavers identified as eligible to apply to the EUSS.

The Minister for Future Borders and Immigration provided the Committee Chair with a copy of the survey report published on 13 November 2020, and the Minister's letter of 11 January 2021 to the Committee Chair responded to the questions about the survey and its results contained in her letter of 16 December 2020.

An update of the survey report was published on 25 February 2021, reflecting some additional responses received through to 26 November 2020. All 210 local government bodies in the UK with responsibility for children's services (205 local authorities in England, Wales and Scotland, and five Health and Social Care Trusts in Northern Ireland) were asked to complete the survey and 207 (99%) provided a response.

The total number of looked-after children and care leavers identified by the survey as eligible to apply for the EUSS was 3,300.

As of 26 November 2020, 1,520 applications to the EUSS had been received from this group (46%). 980 (64%) of these applications had been decided, of which 840 (86%) had resulted in a grant of settled status and 140 (14%) in a grant of pre-settled status.

The updated report is available on Gov.uk at:

<https://www.gov.uk/government/publications/eu-settlement-scheme-home-office-looked-after-children-and-care-leavers-survey-2020/eu-settlement-scheme-home-office-looked-after-children-and-care-leavers-survey-2020>

A further survey of the local authorities and Health and Social Care Trusts is currently being undertaken. We expect the results of this survey to show further progress in EUSS applications made and decided on for looked-after children and care leavers, in light of the work of local government colleagues and the support

available to them from the Home Office, and from the grant-funded network of 72 organisations across the UK, that help vulnerable people apply to the EUSS.

We will provide the Committee Chair with a copy of the report of the further survey in due course.

You also wanted to know when the full guidance on 'reasonable excuses' for delayed application to the EUSS would be published. I can confirm that this guidance will be published in the near future. We will provide the Committee Chair with a copy on publication.

Channel crossings

The numbers of migrants attempting hazardous, unnecessary and often illegally-facilitated crossings continue to be high – three times as many as this time last year – but our colleagues in France are stopping a greater proportion of these attempts and are working hard to protect vulnerable people from criminality.

The Committee asked for an updated annex which includes a quarterly breakdown of individuals arriving clandestinely. A full response to this, setting out detailed figures for the whole of 2020, is provided in annex A. You asked for provisional figures for January 2021, and I can confirm that our management information shows 224 arrivals for that month. Provisional figures for February show that 308 small boats migrants arrived in February.

Covid-19 testing

Since last year, everyone arriving at Dover via illegal means has received a medical check, and anyone displaying symptoms was offered a Covid-19 test in line with the general public. Earlier this year, we increased the health measures at our border and from 8 February, have tested the majority of migrants encountered in small boat events immediately on arrival. Clandestine arrivals encountered in other locations will be tested in line with local procedures. Since 8 February, three migrants have tested positive at Dover.

In addition, voluntary Covid-19 tests have been offered to all those entering IRCs. Any symptomatic person who refuses to be tested is treated as a positive case. As of 9 March, there have been four Covid-19 positive cases originated from small boats arrivals. Of the four, two persons isolated/tested positive within a 14-day period of arriving within the detention estate, and the other two persons test positive 27/28 days following their arrival from small boats. (NB – These figures are from management information and may be subject to future revision following data validation processes).

Covid-19-secure accommodation

We currently provide self-isolation facilities to those who claim asylum through our existing Initial Accommodation (IA) facilities and the additional contingency provision of single room accommodation in hotels. This is in line with Public Health England advice that, wherever possible, isolation should take place in self-contained

accommodation. Daily welfare checks are made on individuals isolating and asylum seekers have the same access to testing as the general population.

Joint work with France

The Committee also asked for details on the joint work with the French authorities. On 28 November 2020, the French Interior Minister Gerald Darmanin and I reaffirmed our commitment to combatting illegal immigration in Northern France, agreeing a €31.4m package of measures to support French efforts to prevent crossings and support migrants into the French asylum system. This package included:

- a doubling of the numbers of Gendarmes Reservists dedicated to small boats prevention from 1 December 2020
- a suite of technology measures to improve the detection and monitoring of migrant crossing attempts
- improvements to security infrastructure in and around areas targeted by migrants for channel crossings and clandestine concealments
- the provision of accommodation centres to support asylum-seeking migrants into the French asylum system

This package builds upon the close operational and official co-operation on illegal migration that we have had with the French over many years, which includes Centre Conjoint d'Information et de Coordination (CCIC – the joint co-ordination centre for illegal migration), joint working under the Sandhurst Treaty and the Joint Small Boats Action Plan.

The Joint Intelligence Cell (JIC) was established in July 2020 and enables sharing of real time intelligence between UK and French investigators – both the CCIC and the JIC are staffed jointly by UK and French officers – permitting swift and effecting co-ordination of law enforcement activity. In the first five months (July to December), the JIC was involved in 140 arrests and 1400 preventions of channel crossings.

Through these structures, we have regular operational meetings to discuss deployments and coordinate any responses. The programme of work with the French is part of the Small Boats Operational Campaign Plan, which is based around the five key objectives of:

- Preventing entry
- Controlling arrivals
- Reducing opportunity
- Increasing Deterrence
- Keeping numbers low

But I am clear that this issue will not be resolved until the route has been made unviable and these crossings cease to be a regular occurrence.

Returns

You asked how many illegal entrants have been sent back to EU countries since 1 January 2021. I can confirm that the Home Office publishes data on the number of returns, broken down by destination, in the quarterly Immigration Statistics. The latest data covers the period up to the end of September 2020. Data from October to December 2020 will be published on 27 May 2021, and data from January to March 2021 will be published on 26 August 2021.

I can confirm there were 105 transfers out of the UK under the Dublin regulation in the year ending December 2020. This was a 60% reduction from the previous year due to the international travel restrictions put in place in response to COVID-19 and the suspension of all Dublin transfers by EU member states between late February and July 2020.

The Committee asked how many children have entered the UK through Family Reunion. The United Kingdom is no longer bound by the Dublin Regulation, the EU mechanism for determining which participating State is responsible for assessing an asylum claim. However, the 'saving provisions', as set out in Schedule 2, Part 3 of the Immigration, Nationality and Asylum (EU Exit) Regulations 2019, allow a Dublin Regulation family reunion request made before 11pm on 31 December 2020, the point at which the UK's participation in the Dublin Regulation ended, to be processed after that time.

This provided the certainty that all Dublin family reunion requests made before the end of the Transition Period would be considered, even if a final decision had not been reached. We continue to cooperate with sending States for the transfer of people we accepted under the Dublin Regulation before the end of the Transition Period. Data relating to the operation of the savings provision will be published once all cases have been assessed.

Unaccompanied asylum-seeking children in Europe with family members in the UK are able to apply to join eligible sponsors, such as those with refugee leave or humanitarian protection or with British or settled status, under existing Immigration Rules.

In 2020, 5,428 Family reunion visas were issued to partners and children of those granted asylum or humanitarian protection, a decrease of 27% on the previous year predominantly due to a substantial fall in Q2 as a result of COVID-19 restrictions. Of these, 2,992 (55%) were children. The Home Office publishes data on the number of family reunion visas granted, broken down by age, in the quarterly Immigration Statistics. The latest data covers the period up to the end of December 2020. Data from January to March 2021 will be published on 27 May 2021.

The Government has committed to review safe and legal routes to the UK and has a statutory duty to conduct a public consultation on family reunion for unaccompanied asylum-seeking children in the EU. We laid a statement before Parliament providing further details on 8 February. This was published on GOV.UK at the following link: <https://www.gov.uk/government/publications/statement-in-relation-to-legal-routes->

[from-the-eu-for-protection-claimants-including-family-reunion-of-unaccompanied-children](#)

The review and public consultation will consider whether the current Immigration Rules relating to family reunion for refugees are sufficient for both adults and children (including unaccompanied children) and help to identify any issues specific to protection claimants in the EU that need to be addressed. This will include consideration of how our approach to this issue aligns with the Government's wider ambition to overhaul our approach to asylum and illegal migration, the new global immigration system and our future approach to refugee resettlement.

You also asked for updates on the progress on bilateral arrangements with EU states. I can confirm that the Joint Political Declaration on Asylum and Returns between the UK and the EU was agreed on 24 December 2020 and noted the UK's intention to engage in bilateral discussions with the most concerned Member States, to discuss suitable practical arrangements on asylum, family reunion for unaccompanied minors or illegal migration, in accordance with the UK's and EU's respective laws and regulations.

The Government has not yet concluded any new bilateral agreements to facilitate the return of asylum-seekers from the UK to third countries. We are currently in discussions with several Member States, but we will not provide a running commentary on progress.

Yours sincerely,



Rt Hon Priti Patel MP

Secretary of State for the Home Office

Annex (22a) – Data on small boats arrivals

	Q1 2020	Q2 2020	Q3 2020	Q4 2020	2020
People	465	2,030	4,520	1,446	8,461

	2018	2019	Q1 2020	Q2 2020	Q3 2020	Q4 2020	2020	Total
TOTAL	299	1,844	465	2,030	4,520	1,446	8,461	10,604
Iran	238	1,212	271	647	950	504	2,372	3,822
Iraq	33	471	116	591	791	147	1,645	2,149
Sudan	0	0	0	86	774	103	963	963
Syria	1	14	47	224	320	183	774	789
Eritrea	0	0	0	31	385	94	510	510
Other	27	147	31	451	1,300	415	2,197	2,371

Due to the time lag between data being captured, recorded on our system and verified, some individuals and activities may not be captured.

Ranking based on 2020 irregular migrant nationalities

These data were extracted from a live database on 10 February and were subject to data assurance activity at that point.

These statistics have been taken from a live operational database. As such, numbers may change as information on that system is updated.