



HOUSE OF COMMONS

LONDON SW1A 0AA

20th March 2018

Jean Constant

RE: EARLY DAY MOTION 696 – DETENTION OF VICTIMS OF TORTURE AND VULNERABLE ADULTS.

Thank you for your recent correspondence in respect of immigration detention.

As a Parliamentary Private Secretary, I am not able to sign Early Day Motions, as doing so would likely be in breach of the Ministerial Code's rules on collective responsibility. However, in any event, I have general concerns about the effectiveness and expense of the EDM system, and I have attached a copy of an excellent article written by my colleague, Chris Heaton-Harris MP, which I feel succinctly sets out those concerns. I hope that this will be of interest to you, and essentially, I think it is much more effective to raise concerns directly with Ministers, both verbally, and in writing, rather than signing EDMs.

The *adults at risk in immigration detention policy* came into force in September 2016 and was part of the Government's response to Stephen Shaw's review of the welfare of vulnerable people in immigration detention. The policy strengthens the existing presumption against detention, and is based on a case by case assessment of the appropriateness of detention for each individual, depending on the nature and evidence of vulnerability available in their particular case. It involves a balancing of vulnerability considerations against immigration factors (how soon removal is due to take place, public protection concerns, and compliance with immigration law). If an individual is identified as being at risk, they will be detained only when the immigration factors outweigh the evidence of risk.

Victims of torture and victims of sexual or gender based violence, along with a number of other groups of vulnerable individuals, already fall explicitly within the scope of the policy. Although individuals who have suffered severe physical or psychological violence are not explicitly referenced, it is highly likely that such individuals would in any case fall within its scope in that they would meet one of the other indicators of risk set out in the policy (for example, suffering from a mental or serious physical health condition). The policy is supported by the cross-cutting Detention Gatekeeper team, an important function that assesses vulnerability and provides challenge to decisions about who enters immigration detention in terms of their vulnerability, and also scrutinises prospects and speed of removal.

The follow up to the independent review by Stephen Shaw into the welfare in detention of vulnerable persons started in September 2017. As part of this, Mr Shaw will be assessing the implementation of all of his earlier review recommendations. Similarly,



in light of the High Court judgment to which you refer, the Government is actively considering how it can best address the Court's findings in respect of the adults at risk policy.

While it is important that the time any individual spends in immigration detention is kept to a minimum, detention remains an important part of the process for enabling returns, and it is essential the Government maintains a robust and workable immigration system which ensures that those with no right to be here leave the UK.

Once again, thank you for having taken the time to contact me and if I can ever be of any further assistance to you then please do not hesitate to contact me again.

with best wishes,

Tom

**TOM PURSGLOVE MP
MEMBER OF PARLIAMENT
CORBY & EAST NORTHAMPTONSHIRE**

Chris Heaton-Harris: Why Early Day Motions are politically impotent

Writing exclusively for PoliticsHome, Conservative MP Chris Heaton-Harris describes Early Day Motions as 'politically impotent', and warns he is 'not going to waste time and money on sponsoring or signing EDMs'.

Since being elected last year, a number of my constituents have asked me to sign Early Day Motions (EDMs). I'm afraid I haven't signed any yet and don't plan on changing that in the future as I think they are pretty much politically impotent and too costly in their current form.

I'm not alone either, quite a number of the 2010 intake all independently decided to do the same thing and I would imagine that if the rules around EDMs don't change at the next election, even more MPs will join the "just say no" bandwagon.

Supposedly EDMs cost around £500 a go and we have already had 2423 tabled in this Parliament. Looking through the titles of the EDMs you'll see many a worthy political cause being lauded, people recently passed away remembered and an abundant amount of motherhood and apple pie. Yet even the most benign EDM rarely gets more than 50 signatories; indeed, many barely scrape into double figures.

I really do think that we need to change how EDMs can be sponsored before too many MPs decide to call it a day on them. Surely a sensible solution would be to say that an individual Member should not be allowed to table an EDM? We should at least try to separate the more popular ones by asking that there be at least ten MPs proposing for it to be accepted as being tabled and thus, opened up for others to sign.

Considering there are MPs out there who tend to sign a large number of EDMs (Sir Peter Bottomley and Alan Meale, please take a bow) surely setting an entry point of ten signatures is not an oppressive barrier if you really do care about a subject?

One of the main reasons (if not the main reason) why so few people sign EDMs is that in the last few years they have turned into the tool of the crap lobbyist. Sitting in a meeting room trying to work out how to justify their Client's retainer, many believe that if they can get a few signatures on an EDM he has done his or her job. Even better if you can persuade your client to run a campaign to get more MPs to sign up; more money for you to set up pointless meetings to talk about a pointless campaign to try and get more than a dozen signatures for a pointless motion that will be ignored by Government and just about everyone else too.

If you are a business, charity or NGO and your Public Affairs outfit recommends an EDM - fire them immediately! Few people take any notice of them and so they are really no more than political graffiti.

So, to my Constituents I say if you are writing to me, please don't ask me to sign an EDM. I'll happily raise subjects with Ministers, ask questions in the House or try to have a Westminster Hall debate - in other words, do things that actually count - but I'm not going to waste time and money on sponsoring or signing EDMs.