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Government under pressure over Jamaica deportation flight

6 February 2020



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Windrush scandal



Protesters demonstrate outside the Jamaican embassy in London

The government has been urged to suspend a flight to Jamaica which according to one charity could be deporting victims of trafficking.

The Joint Council for Welfare of Immigrants (JCWI) said "many of those facing deportation have been residents in the UK for decades".

On Wednesday, a Labour MP urged the PM to suspend the flight until a report into the Windrush scandal is published.

Boris Johnson said it was "right to send back foreign national offenders".

The flight from the UK to Kingston is due to leave on 11 February.

In a Parliamentary briefing, JCWI said it was concerned that some of the passengers could be potential victims of trafficking or victims of county lines exploitation.

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The term "county lines" is used to describe gangs and organised criminal groups distributing drugs from typically larger cities to smaller towns around the country using mobile phones to arrange deals with suppliers and buyers.

Windrush scandal

The charity also raised fears that those set to be deported were "very vulnerable individuals who have not been adequately assessed for their fitness to fly, despite presenting with serious medical conditions".

A lawyer representing 13 of the people due to be on the flight also said he had "serious concerns" about the vulnerability of those being deported.

Toufique Hossain, a director at Duncan Lewis solicitors, said one of his clients had been "forced" to commit a drugs offence by older gang leaders.

The issue was raised at Prime Minister's Questions, when Labour MP Nadia Whittome called for the flight to be suspended until a review into the lessons learnt from the Windrush scandal was published and its recommendations implemented.

Labour's Nadia Whittome called for the flights to be suspended

The Windrush scandal saw many of those who had arrived in Caribbean countries between 1958 and 1971 detained or deported despite having the right to live in the UK for decades.

The fallout prompted criticism of the government's "hostile environment" approach to immigration and led to the resignation of Amber Rudd as home secretary.

Responding to Ms Whittome's question Mr Johnson said: "The people of this country will think it right to send back foreign national offenders."

'Stress'

Shadow women and equalities minister Dawn Butler said one of her constituents was among the deportees and she objected to them being branded "serious criminals".

Her constituent had been convicted "under the now unlawful joint enterprise rule" and had been released after two months, she told MPs on Wednesday.

"His wife feels like this stress is going to kill her husband because he has a heart problem," the Labour frontbencher said.

She backed calls for the flight to be halted "until we establish the true facts of the situation".

A Home Office spokeswoman said: "The planned charter flight to Jamaica is specifically for removing foreign criminals.

"Those detained for removal include people convicted of manslaughter, rape, violent crime and dealing Class-A drugs."

The spokeswoman added that "everyone on the flight will have had their cases fully reviewed to ensure there are no outstanding legal barriers, including trafficking and slavery claims, that would prevent their removal from the UK".

The Home Office said that under the UK Borders Act 2007, a deportation order must be made where a foreign national has been convicted of an offence and received a custodial sentence of 12 months or more.

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'Vulnerable people' among up to 50 on Jamaica deportation flight – charity

By Press Association 2020



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Potential victims of trafficking and very vulnerable people are among those due to be deported to Jamaica next week, according to a charity.

The Joint Council for the Welfare of Immigrants (JCWI) said the Home Office's planned charter flight from the UK to Kingston on February 11 will have capacity for up to 50 people.

An MP has called for the flight to be suspended until the publication of the lessons-learned review following the Windrush scandal.



The planned charter flight to Jamaica is specifically for removing foreign criminals. Those detained for removal include people convicted of manslaughter, rape, violent crime and dealing Class-A drugs



Home Office



In a parliamentary briefing, the JCWI said: "Many of those facing deportation have been residents in the UK for decades and have close family ties.

"We often see people who are as British as the schoolmates they grew up with being deported for minor crimes like

possession of cannabis.

“Their school friends caught up in the same folly are chastened with a short sentence and allowed to rehabilitate; while they face a life sentence away from friends and family in a country they never knew.

“We have become aware that potential victims of trafficking have also been served with RDs (removal directions), and we have concerns that some of these may be victims of county lines exploitation.

“We’re also concerned that there are a number of very vulnerable individuals who have not been adequately assessed for their fitness to fly, despite presenting with serious medical conditions.”

Toufique Hossain, a director at Duncan Lewis solicitors, which is representing 13 of the people due to be on Tuesday’s flight, said they are looking at the individual cases in order to prepare urgent applications to stop their removal.

He told the PA news agency he has “serious concerns” regarding the vulnerability of the people on the flight.

Mr Hossain said one of his clients is a man who has been in the UK for many years and was convicted of a drugs offence when he was young, but it was an offence he claims he was “forced” to commit by older gang leaders.

“And that sort of exploitation and forced criminal activity does very much go into the realms of trafficking and modern slavery,” the lawyer said.

“ The Home Office have briefed that everyone on the deportation flight are serious criminals. I don't think this is true and this planned flight must now be halted until everyone is checked. We cannot allow the Tory hostile environment to continue. pic.twitter.com/k8gW81HM5b

— (((Dawn Butler))) (@DawnButlerBrent) February 5, 2020

Concerns have also been raised about the phone signal being down in the Heathrow detention centres, causing difficulties for people wanting to contact their solicitors or organisations that assist with referrals to solicitors.

Bella Sankey, director at human rights charity Detention Action, which supports people held in immigration detention, told the PA news agency: “We call back our clients really regularly to maintain in contact and understand if there have been developments in their case, so for example if they’ve been issued with a removal direction.

“But we are calling and calling and calling and not able to get through to people.”

She added: “We’ve had 30 clients that we’ve not been able to make contact with over the last couple of weeks.”

Detention Action has issued a legal challenge over the issue, seeking to compel the Home Office to issue alternative SIM cards and to ensure that anyone facing removal is given adequate time to access legal advice.

The charity said an order has been issued requiring the Home Secretary to file a written response to the application for interim relief by 4pm on Thursday.

Speaking about the Jamaica flight, Ms Sankey said: “A large number of the people that we know are on the flight are people who have been in the UK since really early childhood.

“They’re British citizens for all intents and purposes, and they have really strong family ties and family connections here.

“We’ve got clients who have very many children who they’ve been ripped away from.”

“ Brilliant to see @NadiaWhittomeMP raise the cruel and unjust charter flight scheduled to Jamaica. The PM has forgotten that the public was outraged by the Windrush scandal and opposes wrongful deportation. The flight must be suspended and the Lessons Learned Review published. pic.twitter.com/7a0ob0OVrf

— JCWI (@JCWI_UK) February 5, 2020

In the Commons on Wednesday, Labour MP Nadia Whittome said: “It’s been two years since the Windrush scandal exposed the wrongful detention and deportation of Commonwealth citizens.

“While we wait for the publication of the lessons-learned review the Government plans to deport 50 people, 50 people to Jamaica by charter flight next week.

“Will the Prime Minister immediately suspend the flight until the lessons learned review is published and the recommendations implemented?”

And shadow equalities minister Dawn Butler pointed out that one of her constituents, who is among those due to be deported, was convicted under the now unlawful joint enterprise rule and was released after just two months.

She called for the flight to be halted “until we establish the true facts of the situation”.

A Home Office spokeswoman said: “The planned charter flight to Jamaica is specifically for removing foreign criminals. Those detained for removal include people convicted of manslaughter, rape, violent crime and dealing Class-A drugs.”

The spokeswoman added that “everyone on the flight will have had their cases fully reviewed to ensure there are no outstanding legal barriers, including trafficking and slavery claims, that would prevent their removal from the UK”.

The Home Office said that under the UK Borders Act 2007, a deportation order must be made where a foreign national has been convicted of an offence and received a custodial sentence of 12 months or more.

It added that this is subject to several exceptions, including where to do so would be a breach of a person’s ECHR rights or the UK’s obligations under the Refugee Convention.

In 2018 ministers faced a furious backlash over the treatment of the Windrush generation – named after a ship that brought people to Britain from the Caribbean in 1948.

Long-term UK residents were denied access to services, held in detention or removed despite living legally in the country for decades.



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