

He should be on the frontline of the pandemic response. Instead, he is facing deportation

By Kieron Monks, CNN

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London(CNN) — Few would envy Britain's embattled National Health Service (NHS) workers over the past year. One of the [world's worst](#) Covid-19 tolls has meant grueling shifts, danger, and workplaces full of grief and trauma.

But Charles Oti would swap places with them in a heartbeat. A microbiologist by training, Nigerian by birth, Oti has spent four years working for the NHS honing a specialism in infection control.

Oti's skills are in short supply and among the UK government's [highest priorities](#) for recruitment. But instead of taking a position on the front line of the pandemic response, he has been prevented from working and threatened with deportation.

"I believe I have the skills to make a difference," says Oti. "This has been so frustrating because I am being wasted."

The case represents a personal ordeal and a wider issue. At a time when Britain is heavily reliant on immigrants to staff its essential services, particularly in the NHS, many of these same workers are fighting for their right to remain in the country.

Living in legal limbo

Oti, 46, received a five-year residence permit when he arrived in the UK in 2013 with his partner, a European citizen.

After a spell in the private sector, he took a job with the NHS in London in 2015 as a medical devices coordinator. His regular duties included contamination control and ensuring the safety of equipment such as X-ray machines and respirators.

Better money was available in private enterprise but Oti says that public service suited him. He felt the job made more of a difference to the lives of patients and enjoyed the camaraderie within the NHS's multinational workforce which was "like a family."

There, he says he formed close friendships that helped him adapt to a new country.





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But Oti's residence permit was revoked without his knowledge when his relationship ended, and after returning from a trip to Nigeria in 2017, he was detained at the border and ordered to leave Britain.

Since then he has existed in a legal limbo. Several applications to remain have been denied. Oti was allowed to continue working until 2019, when the Home Office informed the NHS that his status was insecure and he was suspended without pay.

"They tell you to stop working and it puts a person in a very difficult position," says Oti. "You can't afford to make a fresh application or to appeal if it fails. One can go destitute because of this, a lot of migrants do."

Oti has avoided this fate with help from his friends and new partner -- a British citizen and NHS worker -- who have supported him while he has been unable to work.

'Difficult to understand'

In September 2020, with the pandemic raging, Oti received a job offer from the NHS for a new role in a vital position.

"I was supposed to be in a lab doing microbiology analysis," he recalls. "There was a shortage of staff and it would have been purely Covid-19 work."

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While Oti was unable to accept the offer, he included it in his most recent submission to the Home Office.

The application also included the Home Office's own records of a brutal hate crime in the central England town of Northampton in which Oti suffered physical and psychological trauma, that was ruled to be a case of torture. The report shows he was abducted and beaten by three men with a blunt instrument in 2014.

Neither the attack and resulting trauma nor his job were acknowledged in the rejection letter Oti received in January 2021, which once again ordered him to leave the country or face the threat of forcible removal.

The ruling shocked his solicitors, who believe the application may not have been thoroughly examined.

"It is difficult to understand why the Home Office would want an individual with such vast experience in infection control to be forcefully removed from the UK during a pandemic." says Maria Petrova-Collins, a London-based solicitor of law firm Duncan Lewis.

"We hope that the Home Office reviews this matter compassionately and properly considers the evidence put to them."

Petrova-Collins claims that if Oti were outside the UK he would be eligible for a skilled visa.

A Home Office spokesperson declined to comment on the case, saying: "We do not routinely comment on individual cases."

Mayor of London Sadiq Khan believes Oti's case indicates the need for urgent reform.

"Mr. Oti's situation shows the cruel and self-defeating reality of the government's hostile environment policy," a spokesman said. "Despite being a highly skilled NHS worker who could contribute enormously during this pandemic, Mr Oti is being prevented from working and faces deportation from this country, which is his home."

"The Mayor urges the government to look again at Mr. Oti's case and to overhaul Britain's broken immigration system which is preventing health workers serving our nation during this time of crisis."

Tip of an iceberg

Oti's case is far from unique, statistics show. [An estimated](#) 170,000 of the NHS workforce of 1.28 million are foreign nationals, many of whom have an insecure status.

The Doctor's Association UK (DAUK) group is campaigning for Indefinite Leave to Remain for all NHS workers and their families, writing an [open letter](#) to Prime Minister Boris Johnson that notes his own recent reliance on the service.

"Charles Oti's case represents precisely the reason DAUK have campaigned for NHS workers and dependents to be granted immediate Indefinite Leave to Remain," Vice-Chair Dr. Dolin Bhagawati told CNN.

"It beggars belief that the Home Office is not playing its part in the national effort to combat a pandemic that still affects the country."

Migrant rights campaigners believe the Home Office's "Hostile Environment" policies, [launched in 2012](#), are to blame.

Those policies, aimed at deterring illegal immigration, introduced more stringent and frequent checks on immigration status that increased the difficulty of accessing services and left migrants more vulnerable.

In the most notorious case of the "Windrush" generation, legal arrivals from the Commonwealth were cut off from housing, healthcare and banking services, and in some cases deported.

The [government has since apologized](#), commissioned an [independent review](#), and established a compensation mechanism.

"The Home Office has a long history of treating migrants with disdain and cruelty," says Minnie Rahman of the Joint Council for the Welfare of Immigrants (JCWI).

"The Windrush Lessons Learned review showed how deeply the Home Office needs fundamental and meaningful reform, but the Government has so far failed to act."

The government has [introduced](#) free visa extensions for around 3,000 health and care workers, which unions [have criticized](#) as it excludes thousands more.

Oti's solicitors are now pursuing a judicial review of the case, which they say is his last hope. A crowdfunding appeal for his legal fees has raised around £2,700 (\$3,700).

For Oti, the pandemic has highlighted the need for people to work across boundaries as our fates are invariably connected.

"When you walk into a hospital, the consultant who sees you might be a migrant, and the nurse supporting the consultant could be a migrant," he says. "When something goes wrong (like the pandemic) it can affect everybody."