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Dr Hywel Francis
Chair – Joint Committee on Human Rights
House of Commons
7 Millbank
London
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23 DEC 2010

Dear Dr Francis

Thank you for your letter of 7 December 2010 in which you ask for information that will help you consider that the use of deportations is in a manner that is consistent with the UK's human rights obligations.

We do not keep statistics in the format that you have requested. There are a broad range of cases that may fall for consideration for removal due to suspected involvement in terrorist activity. These are dealt with across UKBA – for instance suspicions may arise during an asylum interview, a case may be provided to UKBA by an external Agency, or an individual may be removed following conviction for an offence committed in the UK. It would require manual review of a large number of case files to identify the statistics you request.

I can assure you however that human rights issues are given full consideration during any immigration action. As you will be aware SIAC is constituted to hear sensitive information surrounding national security cases. It places a requirement on the Government to conduct an exculpatory review in all cases – safety of return is a major part of the case.

Although the UK Border Agency is not able to provide the figures for 'suspected' terrorists, we have record of two Foreign National Prisoners, convicted of terrorist related activities since 2006, who have fallen under the provisions of the European Convention of Human Rights. In 2006, deportation was not pursued against a foreign national on the grounds of

Article 8. Moreover, in 2010 a foreign national was not deported, as the decision to deport was overturned by the courts on the grounds of Article 8.

This government takes very seriously the issue of transparency and appreciates that the deportation of foreign nationals suspected of involvement in terrorism is a matter of considerable Parliamentary interest. In future we will put in place systems to enable us to provide some management information on national security cases where deportation has been prevented due to human rights reasons. We shall also record such cases where the courts have overturned deportation on human rights issues.

For the past five years it is possible that we could provide statistics on a more limited basis such as on deportation with assurances. However, due to the court anonymity granted to the vast majority of these cases we could not provide any information that would lead others to be able to deduce an individual's real identity.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Theresa May', with a long horizontal flourish extending to the left.

Rt Hon. Theresa May MP