

8 out of 10 last-minute attempts by immigration offenders to avoid removal are rejected, study finds

80% of last minute claims submitted by immigration offenders are eventually denied, [new research published by the Home Office](#) today has revealed.

The high proportion of migrants with no right to remain in the UK making late claims – including human rights, judicial reviews or modern slavery related submissions – has raised concerns that this is becoming a tactic to delay and eventually “time out” removal from the UK.

Commenting on the analysis, Minister for Immigration Compliance and Justice, Chris Philp, said:

We know that our asylum system is open to abuse by those who have no right to remain the UK and these stark figures just demonstrate the difficulties we face when seeking to remove people.

These last-minute claims waste the time of judges and our courts and delaying the process of assessing claims from the most vulnerable.

This is why we will comprehensively overhaul our asylum system and build one which is fair but firm. This will allow us to better protect and support those genuinely in need but remove more easily from the UK those with no right to be here.

The report published today is a snapshot of all those cases that were detained within the country under immigration powers in 2017, 2018 and 2019, with an analysis of outcomes for those claims raised in 2017 through to September 2020.

By analysing the longest period covered by the data, from 2017 through to September 2020, analysts are able to illustrate the full picture of claims raised from start to finish, as most have been conclusively decided by the 2020 end point.

Around 80% of all of these claims raised in 2017 were eventually refused, with 5% still awaiting a decision and around 10% being found to have some merit.

The Home Office can only detain an individual for removal where there is a realistic prospect of removal within a reasonable timescale. Even if a claim is eventually rejected it must be carefully considered, which takes time. As a result, last-minute claims can significantly delay an individual’s removal and see that individual released from detention. This can lead to a person

“timing out” their removal as the government’s 6-month window to return them under the Dublin regulation expired, or because the time spent in the UK is used as evidence to argue their case to remain.

While every case that is raised is assessed and decided upon its individual merits and given the due consideration such important claims demand, these figures reveal a system open to abuse and are clear evidence of the need for reform.

The government is committed to delivering a system that is not so easy to abuse and where genuine claims are identified and supported sooner.