



December 2021

Dear Constituent,

Thank you for contacting me about foreign national offenders.

Any foreign national who comes to this country and abuses our hospitality by breaking the law should be in no doubt of the UK's determination to deport them.

The UK Borders Act 2007, approved by Parliament, outlines that the Secretary of State must make a deportation order in respect of a foreign criminal sentenced to imprisonment for a period of 12 months or more, unless their case meets one of the exceptions set out in the Act. The Government has confirmed that it does not propose to change these provisions.

I am concerned that Foreign National Offenders returns have fallen in recent years from 6,437 in 2016 to 5,128 in 2019. It does worry me that there are now over 10,000 Foreign National Offenders in the UK, many of whom have committed serious offences. It is important to consider that there are various contributing factors to these trends. However, the increased pattern of repeated and often last-minute claims is challenging the Home Office's ability to lawfully remove individuals. It is therefore welcome that the Government has outlined that it needs to legislate further to ensure that people who have no right to be in the UK, especially those who are a danger to our citizens are swiftly removed.

As part of the New Plan For Immigration, the Government will increase the early removal provision for Foreign National Offenders who leave the UK from 9 months to 12 months to encourage departure. The Early Removal Scheme provides a window at the end of the sentence, during which the prisoner can be deported. This window will be increased from 9 months to 12 months, subject to serving at least 25% of the full sentence in prison.

A new 'stop the clock' provision will be added so that they must complete their sentence if they return. This would be in addition to any sentence for returning in breach of a deportation order. The Government will also consider whether to more carefully control visa availability where a country does not co-operate with receiving their own nationals who have no right to be in the UK. The Government has introduced the Nationality and Borders Bill. This Bill is the cornerstone of the New Plan for Immigration, delivering the most comprehensive reform in decades to fix the broken asylum system.

It is important not to forget that these individuals are criminals and have broken the law. I hope you can appreciate that it is not appropriate for me to comment in detail or about the specifics of individual cases, especially if legal proceedings are ongoing. It is important for anyone in public office not to jeopardise the legal process in any way.

Thank you again for taking the time to contact me.



Chris Heaton-Harris
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Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Chris'.

CHRIS HEATON-HARRIS MP
MEMBER OF PARLIAMENT FOR DAVENTRY