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By email to: [public.enquiries@homeoffice.gov.uk](mailto:public.enquiries@homeoffice.gov.uk)

30 April 2021

To Whom It May Concern:

### **REPLY TO COMPLAINT ABOUT CONTENTS OF PRESS RELEASE**

Thank you for your letter of 16 April 2021, sent in the name of B Jugdaohsingh. We do not believe that it deals adequately with our complaint. We make the following points in response:

*All press materials go through appropriate clearance and are drafted in line with the Civil Service Code.*

Our complaint is that the press release ought *not* to have been cleared in the form it was released, because we consider that it breaches the Code in specified and particularised ways. Your response fails to engage with the substance of our complaint in any meaningful way.

*The Government's position is that the asylum system is broken and open to abuse. That is why we launched our New Plan for Immigration. Our position is supported by evidence, including published statistics and Home Office analysis.*

*The content and language in the press release is based on the [New Plan for Immigration](#), which was published on 24 March, and draws on published, quality assured Home Office data as well as expert insight from experienced officials who deliver and administer the system every day.*

We made the point very clearly in our complaint that specific allegations in the press release were *not* in fact supported by evidence. 'Home Office analysis' and 'expert insight from experienced officials' are vague references to opinion not evidence. No evidence has been cited which supports the allegation of an 'alarming rise in abuse of the modern slavery system', The only actual data quoted in the press release showed that referrals were increasing, and, in the only year for which any decision figure was quoted, met with an initial 89% success rate. This is not indicative of abuse.

*As you will be aware, the Government Communication Service propriety guidance explains that it is the role of communications staff to present, describe and justify the thinking behind*

*the policies of ministers and be ready to promote the policies of the department and the Government as a whole – which we believe this press release does.*

As you will be aware, the Government Communication Service Propriety Guidance<sup>1</sup> includes the following guidance under the heading ‘Press office dos and don’ts’:

- *Do... Make as positive a case as the facts warrant*

...

- *Don’t... Oversell policies...*

*On a day-to-day basis, media officers should take particular care when handling:*

- *Decisions taken by ministers fulfilling their statutory responsibilities which directly affect individuals or groups. These must be handled with particular care, to secure an impartial and objective presentation of the case that avoids inaccuracy, inconsistency or bias*

We understand the Government’s policy and recognise the duties of Civil Service communications staff to present, describe and justify the thinking behind the policies of ministers and be ready to promote the policies of their departments and the Government as a whole. However, as the Propriety Guidance makes clear, those duties do not justify overselling the policy, and, as we explained in our complaint, the ‘case’ made in your press release went considerably beyond what was warranted by the facts cited.

Furthermore, the attempt in the press release to slur and denigrate ‘failed asylum seekers’ by linking them with ‘child rapists, people who pose a threat to our national security, [and] serious criminals’ violates the obligation to ‘secure an impartial and objective presentation of the case that avoids inaccuracy, inconsistency or bias.’ This is of particular importance in view of the Home Office’s recent experience of the impact upon the ‘Windrush generation’ of a former Home Secretary’s ‘hostile environment’ policies and the fact that the individuals or groups affected by the press release share characteristics protected in discrimination legislation.

The Home Office’s published complaints procedure states as follows:

*Our response to you will include details of what to do if you believe your complaint has not been dealt with properly. You should start by contacting us again and asking for your complaint to be passed on to a more senior member of staff.<sup>2</sup>*

We maintain our complaint, which we do not believe has been dealt with properly. In breach of your published procedure, your reply failed to include any details of what we should do in these

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<sup>1</sup> <https://gcs.civilservice.gov.uk/publications/propriety-guidance/#Propriety-guidance-and-codes-of-conduct>

<sup>2</sup> <https://www.gov.uk/government/organisations/home-office/about/complaints-procedure>

circumstances. We ask that it be escalated to a more senior member of staff, in line with your published complaints procedure. We look forward to a comprehensive reply dealing with the substantive complaint within 10 working days.

**Please address your reply to Rudolph Spurling at [rsp@onepumpcourt.co.uk](mailto:rsp@onepumpcourt.co.uk)**

Yours faithfully

One Pump Court Chambers

Garden Court Chambers

Garden Court North Chambers Immigration Team

36 Immigration, the 36 Group

Goldsmith Immigration and Public Law Team, Goldsmith Chambers

Matrix Immigration Team, Matrix Chambers

10 King's Bench Walk Immigration Team, 10 King's Bench Walk Chambers

Immigration Group, No 5 Chambers

No 8 Chambers Immigration Team

Immigration Team, Trinity Chambers

Andrew Campbell-Tiech QC, Joint Head of Drystone Chambers

Karim Khalil QC, Joint Head of Drystone Chambers

Nigel R Edwards QC, Head of International Law, Human Rights and Civil Liberties, 33 Bedford Row

Gary Dolan, Barrister, Drystone Chambers

Julia Needham, Criminal Barrister, Goldsmith Chambers

Oliver Newman, Criminal Barrister, Goldsmith Chambers

David Barr, Criminal Barrister, Goldsmith Chambers

Nicholas Wayne, Criminal Barrister, Goldsmith Chambers

Rehana Popal, Barrister, 33 Bedford Row

Keith Chipato, Barrister, 33 Bedford Row,

Alexander Adamou, Barrister, 33 Bedford Row

Stephen Tawiah, Barrister, 33 Bedford Row

Ylenia Rosso, Barrister, 33 Bedford Row

Elizabeth Fisher, 33 Bedford Row