



Home Office

Suspension of enforced removal window

Version 2.0

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About this guidance

This guidance tells officers about the suspension of the enforced removal window following court grant of interim relief on 14 March 2019.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email Enforcement Policy.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **2.0**
- published for Home Office staff on **5 July 2019**

Changes from last version of this guidance

Guidance amended following variation of the injunction by a consent order on 27 June 2019.

Related content

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Suspension of enforced removal window

With immediate effect and until further notice, this instruction **supersedes** any previous guidance on the use of removal windows.

The NGO Medical Justice has lodged an application for judicial review of the removal window policy. The applicant has sought interim relief to suspend the operation of the removal windows policy pending their claim. On 14 March 2019, the court considered and granted the application for interim relief and because of this, we must cancel any open removal windows and only enforce removals using removal directions (RDs) with a new minimum 72-hour notice period. This injunction was varied by a consent order on 27 June 2019.

All operational areas must follow these instructions:

- you must not open any '3 month' or '21 day' removal windows
- you must only use option 3 in the RED.0001 (all variants) and RED.0004 templates, or any other templates which includes '**liability for removal**' wording:
 - that is the option '**You will be given further notice of when you will be removed**'
 - if a template only includes '3 month' or '21 day' removal window wording you must edit the template to replace the wording with '**You will be given further notice of when you will be removed**'
- where a removal window has been opened, you must close it by serving a RED.0005, using option '**You will be given further notice of when you will be removed**'
- you must only serve notice of RDs by serving an IS.151D or ISE.312:
 - you must give all individuals (other than certified cases, see below) a minimum notice period of 72 hours before the removal, see the removal notice calculator to determine the latest time you can notify a person of their removal
- for certified cases, you must give the person a notice period of 5 working days
- following a failed removal, you may arrange a new removal within 10 working days without giving a new notice period, see Judicial review and injunctions for guidance when you may do this

These instructions **do not** affect:

- voluntary departures where an individual has signed an IS.101
- Border Force cases where removal windows are not used

This instruction **does** affect:

- all enforced removals

When issuing the IS.151D or ISE.312 you must provide the following details to the individual and their legal representatives.

Removal by scheduled flight

You must give the:

- Date of departure
- Destination (including place of destination and routing)
- Time of departure
- Flight number

Removal by charter flight

You must give the:

- Date of departure
- Destination (including place of destination and routing)

The minimum notice period must be calculated from midnight before the day departure is due.

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