



From Rt Hon Harriet Harman MP, Chair

The Rt Hon Boris Johnson MP
Prime Minister

11 March 2022

Dear Prime Minister,

I am writing on behalf of the Joint Committee on Human Rights regarding ongoing visiting restrictions in care homes.

At Prime Minister's Questions on 9 March 2022, you responded to a question from Peter Dowd MP on care home visiting restrictions, [saying](#):¹

I think everybody understands the anguish of people who have not been able to see their loved ones during the pandemic, and as he knows, we have relaxed the restrictions in care homes.

However, as we noted in our [report](#) in May 2021, and most recently in our [letter](#) to Minister of State for Care and Mental Health on 29 October 2021, individual care homes are able to decide which rules to follow, because compliance with the guidance is not mandatory.

Indeed, we have seen reports that care homes are applying restrictions inconsistently.² Ruthie Henshall, Ambassador for Rights for Residents, recently told this Committee:³

Because [the guidance] is not law, it has become interpreted by each care home, and it is a postcode lottery as to where you live and whether you get even a half-hour visit every two or three weeks.

The imposition of restrictions risks potentially breaching the rights of patients, residents, and their family members, including their right to family life (Article 8 of the European Convention on Human Rights), and their right to liberty and security (Article 5 of the European Convention on Human Rights).

This Committee has repeatedly called on the Government to ensure compliance with the visiting guidance by placing it on a statutory footing. Meaningful visits must be facilitated whenever possible, in all care settings.

¹ [Prime Minister's Questions, 09 March 2022](#). Engagements, Volume 710: debated on Wednesday 9 March 2022.

² As an example, it was [reported](#) that Barchester Healthcare, whose facilities are home to around 11,000 people, implemented rules on routine visits that were stricter than government guidance.

³ [Q3](#), Joint Committee on Human Rights, oral evidence: Protection of human rights in care settings, HC 714. 12 January 2022.



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From Rt Hon Harriet Harman MP, Chair

In your response to this letter, we would be grateful if you could set out how the Government is monitoring compliance with its visiting guidance and whether you will now reconsider placing the visiting guidance on a statutory footing. We would be grateful for a response before 31 March.

Yours sincerely,

Harriet Harman

Rt Hon Harriet Harman MP
Chair of the Joint Committee on Human Rights