



## Justice and Home Affairs Committee

### Uncorrected oral evidence: The Life in the UK Test

Tuesday 17 May 2022

10 am

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Members present: Baroness Hamwee (The Chair); Lord Blunkett; Baroness Chakrabarti; Lord Dholakia; Baroness Hallett; Lord Hunt of Wirral; Baroness Kennedy of The Shaws; Baroness Pidding; Baroness Primarolo; Lord Ricketts; Baroness Sanderson of Welton; Baroness Shackleton of Belgravia.

Evidence Session No. 4

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Questions 20 - 34

#### Witnesses

**I:** Kevin Foster MP, Minister for Safe and Legal Migration, Home Office; Kristian Armstrong, Head of Passport and Nationality Unit, Home Office.

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## Examination of witnesses

Kevin Foster MP and Kristian Armstrong.

**Q20 The Chair:** Welcome to the Justice and Home Affairs Committee of the House of Lords. Most of us are in the committee room, and we are joined online by Baroness Hallett and Lord Dholakia. We are trying to get Baroness Sanderson online too, but I will start because I am sure that the Minister's time is limited, and I know that some Members are quite tight for time as well.

We are here to continue our discussion about the Life in the UK Test for citizenship and indefinite leave to remain. I start by asking the Minister about the in-depth review of the test and the associated handbook, which I understand the Government have been planning for some time. Can you tell us what progress has been made towards the start of the review, what the terms of reference will be, what the timetable will be, who will be consulted, the arrangements that are to be put in place, and when this will happen?

**Kevin Foster MP:** We recognise that the material in the Life in the UK handbook was last significantly updated nearly 10 years ago, although it has been updated—mostly annually—to ensure that its information does not become out of date. But we accept that its last significant review was nearly 10 years ago.

We intend to set our plans for a major update in the next 12 months in the in-depth review, and we are keen to engage a range of subject-matter experts when reviewing the test's content. We are also keen to draw on the recommendations of the Windrush lessons learned review. We will ensure that stakeholder groups can input into that. Obviously, we would also be keen to have any conclusions from this committee that can be incorporated as we take forward that in-depth review of the handbook which the test is based on.

**The Chair:** I apologise: I failed to welcome the Minister and Kristian Armstrong, Head of the Passport and Nationality Unit at the Home Office.

It struck me, looking through the material, that the knowledge that we have gained about what happened to the Windrush generation had really not penetrated and that we should, in any event, have had some sensitivity about how references to the British Empire, and welcoming people to come and work in our economy after the Second World War could be read as insensitive. It certainly seemed insensitive to me, and I am not directly affected. Is that the sort of thing that you will be careful to ensure is covered?

**Kevin Foster MP:** Yes. We want the handbook to contain useful information about Britain, how we are governed and how we have ended up being the parliamentary democracy that we are. This is of use when someone is becoming a citizen; it gives people a background to Britain as it is. It should never be an exhaustive test of everything that you may encounter in day-to-day life. Of course, those applying to be British citizens will have lived here for a number of years already, so covering more day-to-day matters would not necessarily be particularly useful.

The handbook should be a size that it is reasonable to expect people to study—it should not be a voluminous tome of every piece of information. But we accept that it could reflect more on how Britain has become what it is today, rather than just reflecting on our constitutional structures, for example.

**The Chair:** We will come back to the purpose of it, but can you give us any more detail about the timetable for this work?

**Kevin Foster MP:** We are doing a range of work on nationality law reform. For example, the recent Nationality and Borders Act makes a number of changes in the nationality area, some of which will very much benefit applicants. For example, those who are applying having got settled status under the EU settlement scheme will find the process slightly simpler with the changes that we have made. So this will be part of that. We intend to set out how we will do the in-depth review over the next 12 months.

**The Chair:** Do you mean that you will set it out over the next 12 months, or that you will set out how it will be done over the next 12 months?

**Kevin Foster MP:** We will set out how we will do it over the next 12 months. Of course, we look forward to this committee's conclusions as well to feed in as part of that.

**The Chair:** Do not blame us for the delay, though.

**Kevin Foster MP:** No. It is just that, with a review like this being imminent, it makes sense for us to await the conclusions that you will draw and to feed back. To give you reassurance, we will take those on board as we set about doing the in-depth review.

I do not want to give the impression that we are not doing anything in the nationality space. There are some major reforms and changes—particularly the addition of Chagossians, for example, and their ability to apply for British citizenship—which are being made imminently. I would not want to give the impression that no changes are being made. Some of these will have a real benefit for applicants making their application, making it a much simpler process, particularly the changes to the lawful residence test for those who have either ILR or settled status under the EU settlement scheme.

**The Chair:** You are tempting us to go very much wider than just looking at the Life in the UK Test. Let us see how we get on.

Q21 **Lord Blunkett:** I am very pleased that the Minister and Mr Armstrong have been able to make time to join us. You are probably aware of my history with this, going back to Professor Sir Bernard Crick's original working group and the Select Committee of this House on Citizenship and Civic Engagement. I press very hard that you take a look at the evidence that came out of that Committee, chaired by the Conservative Lord Hodgson.

In laying out this process in the year ahead, are you thinking of reconstituting the advisory group that was set aside? Could you reflect on why that group was disestablished, given that the range of expertise that we have seen in the evidence that we have been taking would indicate that that vast array of skill and knowledge needs to be drawn down on, regardless of who is doing it?

**Kevin Foster MP:** I have reflected very much on the citizenship changes that you were involved with, moving it from being almost just a form that you filled in at a solicitor's office to something that has a ceremony and clear value to it, as many other countries have.

I would not want to commit to specific groups or specific panels being constituted at this stage, but I am clear that we need to have a wider range of stakeholders taking part in this; it cannot just reflect a Home Office view of what people should be aware of when they become a citizen in the UK. We are particularly keen, as we have said, to draw on the recommendations from the Windrush Lessons Learned review about the contribution of different communities and how Britain became the Britain it is today, the Britain that people become a citizen of today when they apply for citizenship. What is the history, particularly of the post-war migration that created the communities that are on these islands today?

We are very keen to draw on a wide range of views, and we will certainly reflect on and set them out in our plans to take forward a more in-depth review of this book over the next year.

**Lord Blunkett:** The cutbacks to the Civil Service that have been announced will constitute a challenge to the ability to draw down sufficient resource and therefore to facilitate what you are proposing to do, which is why those with expertise from elsewhere who are really on top of this will be crucial.

Is there anyway of accelerating this process while you still have the staff to do it? I speak from bitter experience, not least the collective memory that goes when there is a major cull of those working in the service.

**Kevin Foster MP:** I can fully appreciate the potential concern. The actual issue, certainly in nationality, but also more widely in immigration areas, is the sheer breadth of reforms being delivered at the moment. We are making significant changes, mostly for the betterment of applicants, actually. I touched on a couple of the changes. One is Chagossians' ability to apply: most applicants who have ILR will no longer have to present evidence of their immigration record when they go for citizenship.

The main issue with capacity is more the breadth of issues and reforms that we are driving through at the moment. I appreciate the concern, but I am satisfied that, given the commitment particularly around the Windrush Lessons Learned review, there will be the capacity to take this forward. However, I absolutely take on board the point that we need to bring in a breadth of experience and for this to be not just an internal Home Office or even cross-government project, but something that

brings in experts from outside—along with other communities in this country—who have a perspective to share that should be reflected in the Life in the UK handbook.

**The Chair:** Will we know who those experts are? A question was asked about the identity of the person who wrote one of the chapters—not that long ago, I think—which the Home Office declined to comment on, on data protection grounds?

**Kevin Foster MP:** Ultimately we will be clear about how we involve stakeholders and others. At the end of the day, it is the Home Office that takes responsibility for the entire contents of the book once it is approved and once it is out there. It would be wrong to identify individual people as writing individual chapters when ultimately it is the Home Secretary and I who agree that this is an appropriate handbook for study for taking the Life in the UK Test.

Again, we will set out in more detail within the next year how we will take the in-depth review forward, but we will be clear that there will be an opportunity for stakeholders more widely to feed in. I notice just from me attending today that someone has tweeted me a copy of their paper on how the Life in the UK Test could be improved. So we suspect that there will be some significant interest in wanting to be part of that.

But, ultimately, as I say, it will be me, the Home Secretary and other Ministers who have to account to Parliament for what the final version of that text says.

**The Chair:** Obviously that is where the buck stops, but is there not a public interest in knowing who is advising the Government and what their qualifications are for that?

**Kevin Foster MP:** I certainly take on board the point that we should be setting out how we will undertake the in-depth review and, if there are specific stakeholders involved besides just those able to submit their views and opinions, setting out their involvement and their particular background that qualifies them to be seen as being beyond just an interested stakeholder and making representations on what should be in the book.

Q22 **Baroness Pidding:** Good morning, Minister. I apologise, but I need to slip away at 11 o'clock this morning. What guides the content of the handbook? For instance, what ensures that it reflects the diversity of all four nations? What prompts the choice of historical events?

**Kevin Foster MP:** As I say, the last major review was done 10 years ago. It is about what forms the basis of Britain as it is today. What type of basic knowledge should someone who wants to be a British citizen have? Again, we can all think of particular moments in British history that might be significant and which we think should be in there.

We cannot include every significant moment, but we should include, for example: understanding that people get the right to vote in general elections when they become a British citizen—for the most part (I accept that there are exceptions); how

we became a parliamentary democracy; the history and development of the franchise. We should also include, of course, the pivotal moments in our history, particularly in the 1940s when our democracy was under threat, when clearly Britain stood alone in Europe—with, it has to be said, the Commonwealth and the Empire alongside us; it was not just us on our own.

We accept that it has been 10 years since the last review, and I certainly take the Chair's point that there could be more in it about how, for example, Britain went from being an empire to a commonwealth to many of the countries becoming independent. Then again, a lot of people who came here had been actively invited to come here after the war to help rebuild the country and to make Britain as it is today. Again, when we set out how we will do the in-depth review we can cover exactly how we get to the final choices about the core things that will be in there.

Equally, this should be a reasonably accessible test and not something that requires a particular level of advanced education to be able to get in. It needs to be accessible to all.

**Baroness Pidding:** What about the diversity of the four nations and making sure that they are all covered?

**Kevin Foster MP:** A part of this has always been about how much history is in there. For me, there is how we went from being Great Britain and Ireland to being Great Britain and Northern Ireland. It is a difficult part of our history, but it is not a piece that should be ignored, because it informs what happens in Northern Ireland today.

That said, it is about how we make sure that it is still an accessible read and is relevant. Covering the exact position of the kings of Wessex in the past, for example, may not be particularly useful for today. How we became the country we are is fascinating, but it is not necessarily one of the core things that we need citizens to know today. The core things that it is important to understand in order to understand Britain today include understanding when the franchise was extended to women, and understanding the Windrush generation and communities and the contribution they made. That is important in a renewed book, and we will set out more fully and in detail exactly how we will go about that in the in-depth review.

As I say, we have done annual reviews to ensure that the information is still up to date, but we accept that it is now time to look at a much more in-depth review of the whole document.

**The Chair:** You mentioned the franchise. One of the practice questions in the publications that struck me as frankly silly—I have to say that—deals with the franchise. I wonder whether government, the Home Office, might think of a rather different approach to the question. I will read it: “Which two values and responsibilities should you have as a UK citizen or permanent resident: (a) to vote in local and national elections; (b) to treat everyone equally; (c) to have religious beliefs; (d) to have lots of noisy house parties?” I mean, is this the sort of tone that is going to be continued? I have a number of examples.

**Kevin Foster MP:** We can always pull out individual questions and argue about them. Some people would say that the questions are a bit too easy. Others ask how hard we should actually make them, and whether a multiple choice test is the way to do it. I would touch back to the point that it has to be accessible. For example, pieces of writing or essay-based exams, which many of us will be familiar with if we have been to university, would be inappropriate because of the very point I have just made: that we would be familiar with them if we had been to university. That would not be an appropriate standard to set if the test is to be accessible.

I appreciate that some of the questions can sound odd in aspect, but, again, if it points people to the fact that two of strong values are to treat people equally and to vote in elections, that is not an unwelcome thing for a new citizen to be reminded off.

**The Chair:** Indeed, but it is the “noisy house parties” bit that seems to trivialise it. Another question asks which two rights are offered to UK citizens and permanent residents, with the options to choose from being: free groceries for everyone and a right to a fair trial; long lunch breaks on Friday and a right to a fair trial; freedom of speech and a right to a fair trial; and freedom of speech and free groceries for everyone. Obviously, the right to a fair trial is important, but putting it in the context of long lunch breaks and free groceries trivialises it.

**Kevin Foster MP:** Again, as I said, we can all look at individual questions and think, “Is that the right way of phrasing it?” Overall, the core goal is that people are reminded of the independence of our judiciary, which is key, as is free speech, within the bounds of what we would all see as reasonable. These are important values. But, again, we can always have a debate about how appropriately we pair that up. I accept that that example in which these were paired with a “long lunch” is not necessarily the best way of phrasing it.

**Q23 Lord Ricketts:** Will the in-depth review also look at whether a test is the most effective way of assessing whether permanent residents share British values? By definition, a test involves absorbing a lot of facts, which is certainly easier to do when you are 18 than when you are 68, as I can attest to. Will the review consider alternatives to the test as a way of doing this?

**Kevin Foster MP:** We will certainly keep the idea of whether a test is the best option under review. When we do an in-depth review of the book, we should consider how it will be assessed. It is very unlikely that we will move away from the test—previous conclusions have been reached about why a multiple-choice test is the most appropriate option. First, we need to have something that is objective, fair and consistent. For example, having a conversation about citizenship could instantly get into more subjective considerations or favour those who are, say, quite talkative, but not necessarily as knowledgeable, while disadvantaging someone who is perhaps very knowledgeable about the British way of life, citizenship and their rights as a citizen, but who is very nervous about talking in front of people.

The test was arrived at because it is a fair and consistent way of providing a threshold to reach. It could be based on a book and effectively test whether people have read it, rather than requiring wider study. As I touched on, things like essay-based exams would be inappropriate because they would very much favour graduates and would be much more difficult for those who are not graduates.

In the past, we offered courses as an alternative, but the vast majority of people went for the test instead. When you think about it, that is quite logical, because they could study the book and pass the test and it would be done, whereas attending a course would be likely to be more time consuming and expensive. Wherever you put the courses on, they would require more resource, which means that people would perhaps be travelling further and paying more. So, in the end, given that the weight of demand was to take the test rather than do the course, the courses were discontinued. So this is something that we will consider, but it is unlikely that we will decide something radically different to what was decided in previous considerations of this.

**Lord Ricketts:** I hope that this will at least be tested in the consultation that you will do. I absolutely understand the criteria for the test, but the problem is that it is a test not just of whether you have read the book, but of whether you can remember it. It tests your capacity to absorb facts and reproduce them, and not everyone has this. Quite a lot of the witnesses whom we have spoken to said that a course has the benefit of promoting social integration and cohesion. A course, perhaps with an English language test, which is what there used to be until 2013, gives people some access to a wider community and can be quite useful as an integration tool. So can we at least have that as one of the issues on which you are consulting?

**Kevin Foster MP:** I can certainly bring Kristian in, but, as I say, our experience—our customer test—showed that very few people wanted to do the course rather than the test. On integration, most of those applying for citizenship in particular will have lived here for a number of years already. For example, someone who has arrived as a skilled worker will have done five years on the skilled worker route, got ILR and then, a year later, applied to be a citizen; this is quite a common path. So by that point they will have already lived and worked here for six years. The integration benefits of doing a course after six years can perhaps be debated.

But everything that we do has to be consistent, fair and not an undue barrier. I am particularly conscious that, although we were given a couple of examples of questions with strange pair-ups, most people would be able to think, “What are the issues? What are the rights that we have?” That is certainly true once they become a British citizen. My ultimate view is that this has to be fair and consistent and to test people’s knowledge of Life in the UK without becoming too high a hurdle. This should not require wider study or anything beyond reading the book.

**Lord Ricketts:** A number of our witnesses talked about volunteering as a good way of encouraging social cohesion—not as an alternative to other methods, like a test, but as part of a package to help people into citizenship, whether in Duke of

Edinburgh schemes or in other forms of social volunteering. Could that at least be looked at as an additional part of a package in the revised system?

**Kevin Foster MP:** It is great if people want to volunteer and get out and do things. The problem is that, if I make it part of a package that in any way links to a requirement, I then have to work out how I assess it. Is it particularly useful to ask someone who, for the sake of argument, does a great bit of work volunteering at their local Scouts or at a local refuge to send evidence of that to the Home Office as part of their citizenship application? We would clearly then have to have certain exemptions for people who may not be able to do it.

We very much encourage people to do volunteering and engage in other ways. These are responsibilities, and we saw many come forward during Covid, particularly those who felt that they were younger and less at risk. Two years ago, they stepped forward to replace many older volunteers in organisations like local charities, because they knew that they were less at risk. It was inspiring to see the younger generation step forward to serve in a national emergency, as their grandparents and great grandparents had done in the 1940s and at the outbreak of the First World War.

However, if we made that part of this system, we would then have to decide how we assess it. What would the criteria be? Would it end up becoming a tick-box exercise where people say, “Yes, I’ve come along to volunteer at this litter pick for two hours, because I need you to sign my form to say that I’ve done two hours of volunteering”?

We encourage volunteering and can perhaps reflect on how we make clear that it is part of being a citizen, but I would be loath to go down the path of doing anything more than encouraging. We would certainly not make it a requirement, because then we would have to think about how we would monitor whether someone has complied with it. It would add complexity and potentially produce outcomes that are not what we are looking for.

Q24 **The Chair:** This brings us back to the purpose of the exercise, what it is, and whether it is just about knowledge or whether, as we have heard from witnesses, social cohesion and integration—I am not terribly comfortable with that word, but I will use it for want of a better one—are also important. Will that figure in your thinking about the purpose?

**Kevin Foster MP:** Some of the purpose of this is to give people knowledge about life in the UK and their rights as a citizen—particularly their right to vote—and a basic knowledge of how the UK, the country that they are becoming a citizen of, has become what it is.

Similarly, it also has a role in promoting social cohesion, reminding people about some of the rights that they have as British citizens. Again, in the consideration, it is about how we cover that appropriately in a book that needs to be widely accessible

and studied and that does not become a voluminous tome. In particular, reflecting on the Windrush Lessons Learned review, that could be better covered in the book.

**Kristian Armstrong:** We have done some soft exploration and sought views about how the handbook could change. British Future, which I think gave evidence to you previously, ran a workshop on our behalf with a range of people who had taken the test recently from different backgrounds and different groups.

On your point about promoting social cohesion, one of the sensible comments they made was that the handbook as it currently stands does not really tell you very much about who a citizen is. They were asking for some simple demographic information—what is the make-up of the UK population, what are people’s beliefs, and where have people come from—just to get a picture of the UK that people might not otherwise have been exposed to, depending on where they had been living.

So there are some simple measures that we can take and some good ideas out there which could help us to make some targeted improvements to the handbook. We have started to make some soundings so that we can think about advice to Ministers about the review. There are lots of good ideas out there and we are keen to hear them.

**The Chair:** One of the points made to us about the benefits of a course was about cohesion. We have heard that about 20% of candidates were taking the course—this was a few years ago—and very often there were women from countries whose cultures were rather different who were finding it difficult to become, if you like, comfortable members of society. There was a discriminatory element, which was not intended, but that was what it was throwing up. Again, I hope we can put that in your minds as something we have to be careful about.

**Kevin Foster MP:** Absolutely. As I say, our experience is that when a course was offered, the vast majority opted for the test instead. Again, we should think about how we can include certain information that is relevant for people in their lives here.

**The Chair:** I have very much in my mind knocking on the door in a by-election and the wife coming to the door. She had a vote, but she found it difficult to have a discussion, and she said, “I must bring my husband”. That did not feel right in any way.

Q25 **Baroness Chakrabarti:** Minister, I am conscious that you warned of the danger of two hours of community service potentially being a mere box-ticking exercise.

**Kevin Foster MP:** Yes—someone showing up saying, “I’ve been told by the Home Office that I need to get this form filled in for my citizenship”.

**Baroness Chakrabarti:** Yet, of course, a multiple-choice test is the very definition of box-ticking. You also spoke about the dangers of subjectivity in this sort of test. We heard from a witness who bit back considerable upset and indignation when they

said they had been asked in the test whether the British Empire had been a good or a bad thing. It was a simple yes or no answer, and the correct answer was yes. I am sure that people could say all sorts of things in an essay or oral reply, but you understand the dangers of that kind of yes or no answer for people who have already worked and made considerable contributions to this country.

**Kevin Foster MP:** Yes. I understand that there was a previous version of the handbook that gave quite a glowing picture of empire and the end of empire. I think most of us who have made a study of those periods would not necessarily share quite such a glowing assessment, particularly of the end of empire and particularly in the 1950s. I appreciate why a question like that would not necessarily be the type of question that we should be asking. Again, it is about the balance of history that is being covered. As we look to do the in-depth review, with lessons learned, what are the core parts there?

The point I made about things like going off and volunteering relates to bringing in another group. You talk about different kinds of exams. We could have an essay-based exam, but I am conscious that for a chunk of people who are not experienced in doing essay-based exams, that would be far more difficult to do. For university graduates it would be great; I have done plenty of essays in my time.

For me, that is where we have to ask where the balance is between checking that someone has the base of knowledge and appreciating, particularly in the context of the nations of the UK, that not everyone might want to tick a box saying, "Should Scotland remain part of the United Kingdom? Yes or no?" I think most of us in this room would say that, yes, Scotland is a fantastic and integral part and that we are stronger together than we would be as separate parts, yet I appreciate that a number of people applying for citizenship in Scotland would not actually agree with that statement and would rather vote for Scotland to be an independent country.

Again, it is not just about the context; the questions that people are asked need to promote values, but not ask you to make a specific statement or judgment. I take on board why, for the sake of argument, someone whose heritage is Kenyan might well remember what we refer to as the Kenyan emergency and what happened then, and so would not necessarily want to tick a box saying that the British Empire was a good thing.

**The Chair:** It struck me that there are a number of questions where, rather like the question about empire, I would know what I should be ticking, but I would want to write an explanation or expand on it, such as, "Is it true or false that there is no place in British society for extremism or intolerance?" It is obvious what you should say, but you might also want to talk about how extremism can be reduced or what intolerance is. It is very hard to judge someone on an answer to that sort of question.

**Kevin Foster MP:** Although I think we would say that if you think there is a general place for in UK society for being extreme and intolerant, we would question whether that is exactly the sort of person who should be coming here.

**The Chair:** Anyone who is thinking about it knows what they should reply.

**Kevin Foster MP:** Many of us in this room who take a passionate interest in this area could give long explanations. We could happily write chapters or entire books on many of these subjects. As I touched on, though, this is about ensuring that we have a basic threshold—we have felt that this is a worthwhile thing to do, not just under this Government, but under previous ones—to ensure that those who become British citizens have a basic knowledge of our society, including, again, how we have become the country that we are, and that it should not involve an onerous level of study. We should be clear what people will be tested on—that is, you only need to read the handbook, and that is the only material that you will be tested on.

There could be others who would be very happy to give us lengthy explanations of what they think on particular subjects and issues. I appreciate Baroness Chakrabarti's point about the empire: that there might be those who want to write lengthy points on their views on that subject. But that is not everyone, and we have to make sure that the test does not become a significant hurdle for those who have a good understanding of our values, but are not someone who went to university and is used to taking that style of exam.

**Lord Blunkett:** I do not want to go down a rabbit hole, and I do not expect the Minister to respond to this, but Bernard Crick once said to me, "At what point do you stop tolerating the intolerable?"

**Kevin Foster MP:** That is a good point. It is not just about disagreeing with people. Diversity of opinion is a part of life, but I think we can all work out when things go down a path of extremism that undermines democracy rather than promotes it.

**The Chair:** I think anyone bent on extremist activity would know how to answer that question. On the question of making sure that the test is accessible to all, I turn to Baroness Primarolo.

Q26 **Baroness Primarolo:** Minister, you referred a number of times to the fact, and I think we would all agree, that however we assess this process—test or course—it has to be objective, fair and consistent. So I want to ask a broad question to begin with about what support is available to people who have accessibility requirements but want to take the Life in the UK Test.

**Kevin Foster MP:** The learning materials themselves are not just compliant with disability legislation, but are available in a variety of formats, including audiobooks, which have become more popular. A Braille edition of the handbook can be made available on request via the Home Office, but we are increasingly finding that people prefer the audio versions. It is also available on things like e-readers which can have accessibility software that can read out what is in them.

In terms of access to the materials, they are available in a wide range of formats. In terms of the actual tests, a number of adaptations have been made available. Some respond to particular known conditions. The test centres are DDA compliant, for obvious reasons. I have quite a list here—it might be helpful if I send it instead—of

the types of special arrangements that we have available as standard for those who advise that they have a particular condition when it comes to taking their test.

**Baroness Primarolo:** That would be very helpful, thank you. I am dividing this issue in my mind between individuals who may have physical accessibility issues with regard to our test centres, and others. I hear what you say about the centres being supposed to comply, but that is not what we have always heard. I would be grateful if you could specifically identify the accessibility issues. What happens if someone turns up and cannot get into the centre or it is not suitable for them in terms of physical access?

I also want to turn to the question of individuals who have a learning disability or literacy issues. That is a different form of being able to access the test. Lord Ricketts touched on this when he talked about the ability to remember when you have to swot up. Could you touch specifically, today and in your written evidence, on how the Home Office deals sensitively with people who are perfectly capable of demonstrating that they should be citizens, but the mode that you have settled on—test rather than course—actually puts a barrier in their way?

**Kevin Foster MP:** Perhaps Kristian can give you the details, but our standard package, if I can put it that way, for someone with learning disabilities can include: extra time; a closed session, so that they are not taking the test with other people in the room; and potentially a reader and scribe provided to assist them, particularly to ensure that technology does not become a challenge for them. Kristian, do you want to give any details around those who have declared to us that they have a need that needs to be met?

**Kristian Armstrong:** In terms of delivering an actual test, yes, we will try to accommodate individual needs. As well as a reader, a scribe or technology, you could have a closed session. For example, someone with ADHD or ASD might just need a quiet space, so that can be arranged and organised. Ultimately, there will be some people who are unable to take the test, and they can apply for a waiver. There is a fairly simple form that people can use.

**Baroness Primarolo:** Perhaps you could deal in your written evidence with the question of threshold. If the threshold is set too high for people to qualify for access to the additional help, that is as good as not being there. We have been told that the threshold is so high that qualifying for these special arrangements is in effect very difficult. Perhaps you could also provide us with information about how many people applied for that special access and how many actually got it.

**Kristian Armstrong:** If I may, and this is a point that Lord Ricketts made, one of the things we want to look at is how well the test is currently serving individuals and who is losing out as a result of issues with the test and accessibility. I will give you what information we have, but I can tell you now that the information will not be as good as you or I would like. That is one of the issues we will need to look at as part of the review.

**Baroness Primarolo:** Perhaps you could touch on whether English-speaking applicants from Canada or the US get a better pass rate than English-speaking people from Jamaica, and why you think that might happen. That would be good too.

**The Chair:** It is not just about the availability of adjustments; people need to know that they can actually get them, which means that the helpline needs to be a proper helpline. We are aware from anecdotal evidence that during a phone call to the helpline just a few days ago, the person who answered, when asked about adjustments at test centres, was unable to help. In fact, the caller was told, “No, there can’t be adjustments”. This may be something to do with the contract, but these things need to be dealt with.

**Kevin Foster MP:** I do not want to get drawn into specific examples, but there are a number of adjustments available that we know are used. If that is not being communicated, that is an issue. We do not second-guess diagnosis, either. If one of the conditions listed has been diagnosed, I would not expect our teams to be second-guessing whether or not that diagnosis was correct.

**The Chair:** The point that I am making is about the provider actually being helpful.

**Kevin Foster MP:** We will be happy to pick that up in particular.

**Baroness Primarolo:** I am sorry to give you a list of things that it will help if you put in writing, to save me questioning you now, but it would help us, also bearing in mind what the Chair has just said, if you could explain in writing what you called the bespoke support, giving us examples of where people can apply and what would be available, similar to the ADHD example that you gave.

**Kevin Foster MP:** We have quite a number of them. Writing would perhaps save time, rather than my reading out the full list, but, as I say, common ones include a closed session, extra time or having a reader and scribe.

**Baroness Primarolo:** Yes, I think it will save time today if we have that in writing, and then we can move on.

**Q27 Baroness Sanderson of Welton:** You have mentioned that the course would be the more expensive option, but could you tell us what assessment you have made of the overall cost of taking the test, both for those applying for indefinite leave to remain and for those applying for citizenship?

**Kevin Foster MP:** The cost is £50 for the test and the handbook is £12.99 in physical form, although there are cheaper options available—for example, the Kindle version is £7.49 and you can download the software for free. The actual cost really depends on how close you live to one of the test centres. There are 38 current locations, ranging from Plymouth, which is probably the furthest south-west, up to Inverness in Scotland; Belfast, which is obviously in Northern Ireland; Swansea in Wales; Liverpool. The bigger cities all have one.

We would probably say that we respect the fact that for most people the cost will be £50 plus whatever material they go with—most people now seem to go with online materials rather than buying a physical book for £13—and then the distance that they live from the test centre, whether they travel by train or have to drive. We accept that for some remote communities it is more of a journey, but the vast majority of people in the UK live within 28 miles of a test centre.

**Baroness Sanderson of Welton:** We have heard from some people that it is quite tricky to get to various test centres, and there are other aspects too. You might have to take a day off work. It might be a day that you are not paid for. You might need help preparing, and perhaps those who need the most help might be the least able to afford it. Some people have talked of legal fees; obviously this is about the test, but it is part of an overall process that is pretty expensive in this country. You say that you want to make this accessible for all. Are you sure that the costs are not barring some people? Certainly we have heard nervousness from some people about the costs that are accrued.

**Kevin Foster MP:** I would certainly be surprised if people are incurring legal fees to undertake the test. I strongly advise people that you really do not need a lawyer to advise you on taking it. It costs £50 and you need to get the book. That is why we say that you need to study nothing other than what is in the book.

From the customer satisfaction testing that we have done, it comes out that about 92% are generally satisfied with their experience of the test. Obviously some would rather that they did not have to do it; that is inevitable with any requirement that we put in place. But our general understanding is that people went with the test rather than courses or other things because it was predictable, you could book it on a particular day, you could do your study around work. So, again, you just have to read the book or the materials online. We think that people now go more for online because that means that they can read it on their smartphone or iPad-style reader, if they have one, as well as reading the physical book at home.

As I say, it seems that, generally, most people are satisfied. We have centres all across the country, and we look for where there may be more demand. There have been thoughts about taking it online in future. The issue with that is that we have had experience with other tests in the immigration space of needing to be sure that it is the actual person who is taking the test. That is one reason why, at the moment, it is still test centres and is likely to be certainly for the short-term future of the test.

As I say, we have 38 centres across the country. Most people live within 28 miles of one, although I accept that some people will need to take public transport. If they live in Orkney and Shetland, they will clearly need to travel to Inverness, Aberdeen, Glasgow or Edinburgh to take the test, rather than take it more locally.

**Baroness Sanderson of Welton:** I take your point that the feedback you have had suggests a 92% satisfaction rate, but when you are taking your feedback, do you specifically ask about costs? We have heard about costs. Is one question, “How do

you find the cost et cetera of taking the test?” as opposed to the question, “Are you satisfied overall?”

**Kevin Foster MP:** I do not have a list of questions in front of me, but I suspect that if people were dissatisfied and thought it was expensive, they would probably tell us that they were not happy about having to take it. In other parts of the immigration system, people will happily tell us that they are not happy because of what they have had to pay.

As I say, we have the test centres around the country, and people can book an appointment and can plan around it, so they can plan around work or care or other commitments they may have. As I say, that is why the test was more popular than the course: because physically having to attend a course took more time, and they potentially had to take more days off work. If, for the sake of argument, you have two sessions on two days, if you do not happen to live locally that involves an overnight stay as well, which significantly increases the cost, compared to £50 for a test, up to £13 for the handbook, and whatever the cost of the journey. Of course, because you can book, you can potentially take advantage of advance-booking fares.

**Baroness Sanderson of Welton:** I understand what you are saying, but it does seem that you should perhaps consider asking in your feedback forms about the costs for people. But I will leave it there. Thank you.

**The Chair:** Could I pursue some of the points that have just come up in that exchange?

Minister, you have referred a number of times to the number of test centres, and we have seen a list of those, but it seems that the choice is very limited when it comes to arranging to take the test. One example is that there are five test centres available if you live in Northern Ireland, but only one of those, Belfast, is in Northern Ireland. So somebody from Northern Ireland may be told that they have to go to Manchester. That is an extreme example, but we have also heard from someone who was able to take the test fairly conveniently the first time, but failed—I hope I have got this right—and wanted to take it again quickly, but had to travel a considerable distance.

I wonder if we can put in your mind that it is not as convenient as I certainly I thought it was going to be when I saw the list of centres. They also seem to change; I have seen different lists.

**Kevin Foster MP:** They respond to demand. It is even possible sometimes to deploy mobile testing solutions if there is particular demand for tests in an area, or if a centre becomes particularly booked up—to try to avoid your example. If the Inverness test centre is booked out, that will inevitably mean that people who might have preferred the Inverness test centre will end up with a significant journey to the nearest alternative; or if the Plymouth and Exeter test centres are booked out,

someone living in Cornwall who wants to apply will inevitably have a much longer journey than if they could book into either of those two testing locations.

We certainly monitor demand. We cannot guarantee a quick slot at every location every time, because demand will vary depending on how many people are applying. But if there are certain examples of test centres getting booked out, we would certainly look to encourage our providers to provide more tests. It is in their interests to do that anyway.

**The Chair:** I might have misunderstood, but I did not get the impression that it was a test centre getting booked out. It was simply that it was not available, not operating. Anyway, I am sure that we as a committee will comment on that.

Coming back to customer satisfaction, we have also heard that some people are simply put off from taking the test at all. Is there a way of picking those up? I can see that they could not reply to a customer satisfaction survey of those who have actually taken it, because, by definition, they are not in that cohort.

**Kevin Foster MP:** People have to do it as part of certain applications, citizenship being the prime one that we have focused on today. So people would have to look for a waiver or apply. We are not particularly aware of large cohorts of people being put off from applying to become a British citizen purely by this test. There are other issues, and I am sure that if we went into wider scope, people would point out various things to me that they think are potentially causing people to defer or delay their citizenship application.

One thing that we are now changing is the test of lawful residence, which was a particular issue in relation to EEA nationals who had been here under free movement rights. As I say, we have not been aware of huge feedback from this particular test. Obviously we have had examples. A fair one to point out is that there may be people with particular disabilities or needs who cannot take it, and we need a particular solution in response to that. But the £50 test and needing to read the Life in the UK handbook are not widely cited to me as the reasons why someone may put off applying for citizenship.

**The Chair:** I would like to come back to cost. One of our contributors felt uncomfortable that they had been asked to buy their way in, and I think this would reflect something of the committee's impression too. It is very clear to us that the test is seen, as Baroness Sanderson said, as part of a whole process, and that people are not distinguishing in their minds between the cost of the test and the fees and, perhaps very often I think, the need to get legal advice, which is about entitlement, not about the test itself. There is the thought that if they are deserving of citizenship—"deserving" is a term that is quite difficult to put alongside "rights"—if they are worth the UK having as its citizens, they should not be required to pay. I think it is right that we air that thought.

There is also a concern that a family group might not have the means to pay for every member of that family to pursue citizenship. Perhaps I am straying into a

political discussion about this which is not directly about the test, so I will come back to saying that there is also the requirement to provide biometric details. We heard from someone who spent six hours travelling to and from where they were required to have a photo taken, which then took about five minutes. I was very surprised that that was required, having spent quite a lot of time earlier this year having an amateur photograph taken many times in order for it to be accepted by the Passport Office, because my hair kept blending with the background; but I had to have a pale background. Is it really necessary to require people to go through that exercise as well?

**Kevin Foster MP:** I could go into the wider work that we are doing on the immigration system, where our goal is to move away from people travelling to biometric appointments. For example, in December we already saw that those who are now adults without child dependants and who are applying to extend their permission under skilled-worker and student routes no longer have to head off to a service centre to do that; they can reuse biometrics previously submitted to the Home Office.

We have recently extended the time for which we retain biometrics as the first part of the preparation for moving the entirety of our system within the UK to no longer needing to head to service centres, unless there is a particular fault or a need to update biometrics for a specific reason in an individual case, rather than that being the standard. We are also now starting to look quite extensively at how we can then take that experience to the remote capture of biometrics overseas as well when people apply for visas to come to the UK.

So my view is that in the long run there will be fewer times when people have to schlep off to a service centre to apply. As the Member for Orkney and Shetland regularly points out to me, the local application centres for Kirkwall are in Aberdeen and Glasgow, which are not particularly local if you live in his constituency. One of our goals is that, as the tech advances, fewer and fewer people will need to go to a service centre once they are in the UK in order to have, as you say, a five-minute appointment giving us their face photo and fingerprints.

That is not just something that we are looking to deliver just in this context; we are looking to deliver it across the entirety of our immigration system. It is based on the technology that we use for the EU settlement scheme app and what we currently have deployed on the British national (overseas) visa route, so it has been used quite a lot and we are quite confident in it as we roll it out. So do I think that in future people will be making six-hour journeys to have a five-minute appointment within the UK? No.

**The Chair:** Thank you. I had better stop ranting and turn to Baroness Kennedy.

Q28 **Baroness Kennedy of The Shaws:** Most of what I was going to ask you has been covered by Baroness Sanderson and the Chair, but I want to pull out one issue in particular. You have outsourced the business of providing test centres and staffing them to a company, PSI Services LLC. What are the obligations of that company? I

heard you say that there are 38 centres across the country, but they are certainly not all operating at the same time; the evidence that we have heard is that sometimes you really do have to travel long distances to get an appointment if you want one at a time when you can take time out of work, for example. We heard evidence from someone who talked about the fact that sometimes these centres are outside a city, in an industrial centre miles away from anywhere, where there is no bus service, and if you cannot afford a taxi you have to walk for miles. For anyone who is not able and fit to do that, that must be problematic.

I want to know what sort of oversight there is of PSI Services and what its obligations are. It would be very easy to provide you with a cheap contract and for you to go with the lowest common denominator and someone who provides the service cheaply, but you could end up with it not being provided very well. Do you oversee them, and do you review the contract?

**Kevin Foster MP:** First, there is a balance here. We produce the test, the costs of which are directly linked to what we charge for it. It is in the customer's interest that the test is delivered in an efficient manner.

It is my understanding that we have contractual obligations. Again, perhaps it would be helpful if I set them out in writing rather than reel some of them off now. Ultimately, the company is managed and overseen by the Home Office. If we were not satisfied that it was providing the tests as it was supposed to or availability was not there, we would look to monitor that availability, as I touched on earlier. We would certainly do so if particular issues of accessibility were cited to us. For example, we are very clear that the test centres must be DDA-compliant, so if the company was discovered to be using a location that was not, we would want to intervene to say that was not appropriate.

Similarly, if there were examples of where the company was using locations that were clearly inappropriate or remote—where someone who had booked in the reasonable expectation that they would be able to get there by public transport discovered that there was no bus service, or an extremely convoluted journey by public transport was required—we would look to engage with the company about ensuring that it had considered that not everyone has a car and therefore that there needs to be provision so that they can make a reasonable journey there.

So there is a contract and we have commercial arrangements. It has to be said that it is in the company's own commercial interests to provide accessible testing locations, and more of them, if there is demand for them. As I say, there can be mobile solutions as well if there is a need to provide additional capacity in a particular location. I will be happy to set out the basic details of the standards that we expect, but, as I say, it may be better if I do that in writing rather than read them all out.

**Baroness Kennedy of The Shaws:** As the Chair has raised, one of the concerns is that there seem to be a limited number of appointments available. It would be interesting to have an assessment of just how frequently there are situations where

only three or four places are available across a really large distance.

**Kevin Foster MP:** Perhaps it would be helpful, rather than doing it in oral evidence today, if we listed the test centre locations, how many tests there are and how often they are available. We could all probably guess that the Croydon test centre may well have more test slots available than the Inverness one, but it might be useful if I set out the basic availability—for example, how many slots per week there are in each location.

**Baroness Kennedy of The Shaws:** We have just had the experience of Covid testing in lots of little halls all around the country, so there are plenty of places if they just put their mind to providing it suitably.

The other matter that I want to raise is that you have described how people are invited to comment on their experience of doing the test and so on and that it is all delightfully positive, but that does not reflect what we have heard. I just wondered when the request for information is made for them to tell you how their experience was.

**Kevin Foster MP:** I understand that it is following the test. As Immigration Minister, I know that people do not usually find it difficult to find opportunities to let us know if they are not happy with the immigration system or things that they have experienced through it. I think we had 116 complaints last year, which is a fairly small number of the tests taken and the requests afterwards for satisfaction surveys, although not everyone fills those in because there is no requirement to do so.

**Baroness Kennedy of The Shaws:** I was really asking whether, after you finish your test, you get asked, “What did you make of this process?”

**Kristian Armstrong:** That is my understanding.

**Baroness Kennedy of The Shaws:** So immediately after you do the test, you get a piece of paper saying, “How did you find this process? Was it all fine?” Has it ever occurred to you that people might not want to complain because they think it might have an impact on whether they are considered to be a suitable person to become British? Do you think that might not be an indicator of why you get such positive responses?

**Kevin Foster MP:** Similarly, if we pop them an email a few weeks later, will we get the reply rate that we do when we ask people at the end of the test? I accept that it has to be very clear that the survey has nothing to do with the assessment test, so I accept that we might take that view. On the other hand, if we try to send them something in the post a week or two later, how many of them will actually get back to us? That is a debate the other way around.

**Baroness Kennedy of The Shaws:** I think it would have to be after you had granted them citizenship that you asked them, “In the last year, you were granted citizenship. Could you tell us what you feel about the whole experience of doing the

test?" That is when it becomes valuable. If it is in between taking the test and being granted citizenship, I think most people will be thinking, "God, I don't want them to think I'm a troublemaker".

**Baroness Pidding:** I also think it would be valuable to find out what people who were refused citizenship thought about the test, not just those who managed to clear the hurdle. It is actually more important to ask the people who did not what they found was wrong about it.

**Baroness Kennedy of The Shaws:** It would be a useful thing to do.

**Lord Blunkett:** I do not think you can win on this one, to be honest.

**Kevin Foster MP:** I hear Lord Blunkett's thoughts, and benefit from his experience as always. The problem is that whenever we do it, the question will be whether we get a good response rate versus when we think we might be in people's mind. Similarly, I remember from my legal days when people used to be handed customer satisfaction surveys at the courts at the conclusion of their cases. It was hard in the criminal courts to believe that many people in cells would rate being sent down for five years as a very positive experience.

In our wider review of the immigration system we are doing some engagement with certain groups. We need to ensure that we do not just get particular groups, because, as I have touched on, some groups will feel more inclined than others to tell officialdom that they are not happy. That can reflect particularly those who have come from countries whose authorities have very different positions on complaining about the Government and their policies from what we have here.

We are always open to the committee's thoughts on how we can get more and better qualitative data out of customers and their experiences. Traditionally it has been done near the end, because that is when you can get the greatest number of people and, if they are not happy with something, it is fresh in their minds.

**Baroness Primarolo:** On the point that you have just made, Minister, it depends how the assessment of 92% is being used in the analysis of whether or not we have a good system. It clearly has all the flaws that you and other members of the committee have pointed out: when were they asked, and did they feel that they had to say they had had a great experience in case it influenced whether they got citizenship?

I am certainly interested, and I think the committee will be too, in whether, when you are assessing how well this system works, it achieves your objectives, although we have not touched on what those might be, and whether it is fair, accessible and consistent. What criteria do you use apart from the 92%, which we have already established is a flawed assessment?

**Kevin Foster MP:** I would not call it flawed. At the end of the day, we ask people what they think. It is not just the Home Office saying, "Well, because people did not complain, they must all have been happy".

In terms of how we assess, we look to see what issues are raised in general complaints. One of the Windrush lessons learned, by the way, is that we need to look at when people are complaining and when things are coming in. If people see their Member of Parliament and make a complaint, that should be looked at, particularly if a trend is emerging, because some of the issues that were later identified in the Windrush scandal were issues that individual MPs had written in complaining about on behalf of constituents but had received cut-and-pasted responses.

The survey is a helpful guide, but I accept that it should not be our only view on whether everyone was delighted with the service. We also look at the complaints that we receive to see if there are particular points. Touching on some of the earlier questions that were asked, do we see a trend of people with a particular need or medical condition who have raised points that we should take into account? Can we make adjustments so that they can take the test, or is it perhaps a condition where we need to look at more readily granting a waiver on the test?

**The Chair:** Do the questions cover the conditions under which the tests are taken? We heard some evidence that made me think, “I would hate to be doing an exam in such an unfriendly, bleak environment”.

**Kevin Foster MP:** I have to say that my old school’s sports hall was not the friendliest of places when I did my A-levels. We accept that an exam room is never going to be seen as the most welcoming place, but I appreciate the point that it needs to be somewhere that is a reasonable temperature and you are not sat by a window with the sun glaring in your face—all those sorts of things. I presume that the question does not say, “Were you happy—yes or no?”

**Kristian Armstrong:** We will share the questionnaire with you.

**Kevin Foster MP:** We will share the questionnaire. My understanding is that it does not just say, “Are you happy—yes or no?” There will almost certainly be an opportunity to raise other feedback on the form—for example, about the exam room. Exam rooms will always be of a particular type, but by the same token I take on board the fact that it should not be unduly austere or somewhere that adds to stress and, as members have touched on, there should be a reasonable temperature in the room.

**The Chair:** Yes, I think we heard that a lot of people were wearing mittens or gloves, but I had better not go down that route if no one is nodding about that. Perhaps my memory is incorrect.

I want to come back to the contract itself. How much longer does the current contract have to run? Is there a break clause, for instance? Will there be an opportunity to terminate?

**Kevin Foster MP:** There will always be opportunities to terminate if, for example, performance breaches the contract. Apologies, but I may have to come back to you in writing on the specific provisions on when the contract is next up for renewal.

**The Chair:** I am tempted to ask, so I will ask, if we can see a copy of the contract, but you are going to say that it is commercially confidential. Are you?

**Kevin Foster MP:** It is likely to be commercially confidential, but the least I can do is commit to considering what we could share in public, rather than giving a block “It’s commercially confidential” answer.

**The Chair:** Has it always been the same contractor, or has there been a change of contractor over the life of the test?

**Kevin Foster MP:** In my time it has been the same contractor.

**Kristian Armstrong:** While I have been involved, it has been the same one.

**Kevin Foster MP:** It may in the past have been a different contractor, but I have been in this role for two and a half years and I have not dealt with a new contractor.

**Q29 Baroness Shackleton of Belgravia:** Baroness Kennedy has in fact pre-empted the questions that I was going to ask. We hear about this 92%. One of the solutions for the survey questionnaire might be to make it compulsory but to have it put into a separate envelope, with an undertaking from the test centre that it will not be opened until the test is finished. Then you would get a better sample as to what people thought. They would not, as Baroness Kennedy was suggesting, be effectively greasing up to get in by ticking every box that said that it was all wonderful, if they were secure in the knowledge that the envelope had not been opened before the result was accomplished, and you might get a more sincere and better reading of what people thought.

So my question is: what process do you have for dealing with that material, which looks to be skewed anyway? Do you have a system where you log the most frequent complaints? If so, what are they and what are you doing to address them?

**Kevin Foster MP:** I just want to say that I would not want to make filling in the customer survey compulsory. For me, if it was, it would almost confirm to someone that it was part of their assessment.

**Baroness Shackleton of Belgravia:** What if it was not available until afterwards and if you said to the person taking it, “What should we improve?”

**Kevin Foster MP:** Should we refuse someone’s citizenship on the basis that they did not fill in a customer satisfaction survey? That would be quite hard to justify.

The points that you make about the survey and the test being in separate envelopes, the person invigilating their test not being able to see it and so on are ones that we can take away, but we would be loath to make filling in that survey a compulsory part of the citizenship process, because that would mean that if they

did not do it, we would turn down their citizenship, which I do not think would be a proportionate measure.

**Baroness Shackleton of Belgravia:** You could ask them to address it even if they did not fill it in. Like a ballot paper, you do not have to tick a ballot paper, but you can just go in and—

**Kevin Foster MP:** I think it is right that we make it compulsory that the contractor gives it to someone and makes it clear to them that there is an envelope there that will not be opened yet. I can see the logic. I would just be reticent about making it a requirement for the candidate to fill it in.

On the complaints that we get, the most common one would usually be about the validation criteria, which is where the identification document presented at the test does not match what was registered for the test. I can think of a case I recently dealt with personally where someone had put down that they were a UK national, when they selected their nationality from the dropdown menu, but they are actually a British National (Overseas), a Hong Kong passport holder, so they should have done something slightly different. I could instantly see how the mistake was made, because the passport was issued by the British Government and looks very much like any other British passport that we would all recognise—with the exception of some of the wording on it. But I accept that the vast majority of people taking these tests are not immigration or nationality lawyers, so they may not necessarily realise the difference between a UK passport and a Hong Kong BNO passport issued by the UK Government.

Those are the common complaints that we get. They probably accord with the most common reasons for rejection at the test centre when someone turns up to take the test but is not allowed to: they have registered an incorrect nationality and then present their passport that shows something different; they are presenting an ID that is different from the one they registered with; or incorrect personal details were submitted during the registration, so the name of the person taking the test does not match the identification being presented.

So our complaints probably match the reasons why people are turned away when they show up. They are understandably more likely to complain having travelled to a test centre to discover that they cannot take the test. I appreciate that that is probably the thing that would be most likely to cause someone to complain about the process, because they have paid £50 and their travel costs, although, to be clear, if someone then rebooks with their correct details, that is not held against them—unless there has been a clear attempt to defraud the test, which I would say is extremely rare. We accept that in most cases it will be an innocent error rather than something malicious.

**Baroness Shackleton of Belgravia:** Do people not complain about the book?

**Kevin Foster MP:** People make comments about the book. Some people query why particular things are not in it. As we have just heard in this discussion, some UK

nationals may say, “Why is this particular element not covered?” I take Baroness Chakrabarti’s point that people, certainly in the past, felt that some of the wording about things like the Empire was not particularly appropriate. Some people ask why something is in there rather than something else that they have learned. But, whatever process we have, we say, “Look, this is the set of knowledge that you have to have”. This has probably become less of an issue now, because you can download it on your phone or have it on your e-reader. You do not have to go and buy just one physical book.

**Baroness Shackleton of Belgravia:** I am not talking about purchasing it. I am talking about the questions.

**Kevin Foster MP:** The vast majority of people pass it. Most of them do so first time and others do so by the third attempt. Every so often, as the Chair touched on, we pick up a question that someone does not like or that someone thinks sounds a bit odd or daft, or unduly easy or hard. The nature of any test is that if you know the answer, you will find the question a lot easier than if you do not. If all of us here took a test on British politics, we would probably do quite well on it. Yet if we pop down to a pub, certainly one in my constituency, and handed out the same test, a lot of people would find it quite hard. That is because we are involved in politics and we have that knowledge. My knowledge of pop music might not be quite the same.

This is why part of the review is, first, looking at the book. We accept that it has been 10 years since it had a thorough review. As I say, it has been updated to keep it relevant and to ensure that there are no mistakes in its information. We set a time for a review, and next year we will set out our process for reviewing it and how that will take stakeholders in, taking on board some of the complaints that have been raised about the current book. We will then publish that, and the questions will come from that.

**Baroness Shackleton of Belgravia:** As a lawyer, you will understand that an agreement to agree is an agreement, but an agreement to do a review does not actually produce anything. What stands against reverse engineering this: setting a date when you will deliver and then doing the review to meet that date?

**Kevin Foster MP:** First, we want to take the feedback on board. Secondly, this is part of a very large programme of reform across nationality and immigration that we hope will ultimately result in consolidation of some of the rules. Certainly, our key priorities have been to make the application process a lot easier. We have touched on one example from the Chair of things that we could do to make it a lot easier for people. Generally, the test has not been the thing that people flag as the biggest thing that they would like to see change. It has more been things like the trips to give biometrics or having to send us all your travel details over a period of years, which, again, takes far more time and is perhaps more costly for individuals than this particular requirement. But our view is that we will set up the process over the next year, as part of our wider package of reforms in the nationality and immigration area.

**Baroness Shackleton of Belgravia:** That has been going on since 2018.

**Kevin Foster MP:** We touched on the very large package of reforms that we are delivering at the moment. We have already changed things. For example, we are using some of our Home Office travel data to save people sending us reams of data about their travel over a period of time. That applies to some ILR applications. We are starting to remove requirements to go off to service centres. So reviewing the Life in the UK Test is not the only thing that we are looking to do. If that was the only thing we were doing, it would be a much narrower programme of work.

**Baroness Shackleton of Belgravia:** If you section off that very narrow programme, which is what this committee is looking at, and deal with it, that would be one less thing to do.

**Kevin Foster MP:** No. If I sectioned it off, would I put back the Chagossians, the reform of the legal residence test, and removing the requirement to head off to do fingerprints? If I did that, where would I take the resource from to make that decision? At the moment, we are delivering some massive reforms and changes in nationality law, some of which, particularly on the Chagossian issue, will right some wrongs of over 50 years ago. I also cite the changes around British Overseas Territories citizens, removing some of the—

**Baroness Shackleton of Belgravia:** Thanks to the House of Lords.

**Kevin Foster MP:** We were certainly happy to take that amendment. Actually, it was a House of Lords amendment to the Nationality and Borders Bill on the lawful residence test, which I have been keen to change for a while, so I was only too happy when the Lords amendments changed that particular provision of the BNA 1981. This will make it a lot easier to apply to be a British citizen by long-term residence in the UK in a number of cases. So we are taking forward some of those things, and I cannot just section things off and send people off to do things.

Big changes are being made to nationality. This is one of the biggest programmes of reform of our immigration system in generations. We are already starting to see some of the benefits of that; people are no longer having to head off to service centres to apply for things, for example. There is further to go, and the Chair has given a great example: the need to stop six hour trips for five minute appointments. But, again, this is part of that overall process and something that we are committed to doing.

I accept that we have not set a final timeline for when the new book will come into place. But over the next year we will take feedback on board, including from this committee, and then move forward to deliver a refreshed book, because we accept that it has been 10 years since the last major review and this is long overdue. We also accept that subjects like the Windrush generation are not covered appropriately in the current one.

Q30 **Lord Hunt of Wirral:** We are very grateful to the Minister and to Mr Armstrong for

giving us so much detail. We recognise that we are dealing just with the Life in the UK Test, and we look forward to welcoming you back to talk about some of the other, wider reforms that are going through.

However, to get back to Lord Ricketts's question, what is this all about? What is the objective of the whole thing? It is to find out whether prospective citizens and permanent residents share British values. You talked right at the start about our parliamentary democracy. When President Zelensky addressed us, he relied on a bit of history to emphasise what he respects the UK for—our fight for freedom et cetera. So, if we take a deep breath, do we think that this test is the best way forward? In what way can it be improved? We have concentrated a bit too much on the detail of it all, but can you go back to your own view about what this is all about, whether it is achieving what we want it to achieve and what the ultimate objective is?

**The Chair:** In the interests of time, we will also take Lord Dholakia's question.

**Q31 Lord Dholakia:** Is there any systematic independent monitoring of the test? How relevant is this? Is there an alternative? For example, should we be looking not only at what the book actually says but at promoting a series of lectures looking at life in the United Kingdom, voluntary involvement in community activities and participating in general activities promoted in local areas? Some of these things are more relevant and beneficial than what you get from the book itself.

**Kevin Foster MP:** It is always right that we challenge ourselves on what this is about. Some of the changes that we are making to the immigration system are based on why we are asking someone—this is classic—to re-present their face and fingerprints every time they make an application, when your fingerprints do not really change. Your facial appearance might, but key aspects of it will not. So it is right that we challenge ourselves.

We believe that those who are looking to make the step of becoming British citizens should have an appropriate level of understanding about life in the UK, heritage, traditions and what it is about, and particularly about aspects that become very relevant when you become a citizen, such as the right to vote in a general election. Those looking to become British citizens should understand how that feeds into our system and, actually, why we have the system of government that we have—because plenty of democracies around the world directly elect a President rather than a representative chamber that then selects the Prime Minister. At the same time, other places are very similar to us, so I accept that someone from Canada or Australia will be much more familiar with our constitutional structure than perhaps someone from another country, for very obvious historical reasons.

We believe it is right that new citizens should have a basic knowledge of the UK. How we assess that becomes the next question. How do we do that fairly, not subjectively? As was touched on earlier, that then comes into having the test that we have rather than interviews or exams or other things.

We believe that taking the step of becoming a British citizen should be seen as significant, a commitment to the country, and for some people that will mean giving up their home and their previous citizenship. Obviously that is not a requirement for British nationality, but there are countries—Australia is an oft-cited one—that for historical reasons have strict rules on their citizens then becoming citizens of another country. So it is quite a step, and the test is about the basic knowledge of life in the UK that people should have. I think it is right that people should have that.

From there come the details of how we do that fairly and objectively, how we ensure that the test does not become a barrier, and that we have certain waivers in place where appropriate. For example, UK-serving Commonwealth personnel in the Armed Forces do not have to do the Life in the UK Test; we take the view that if you are serving in the Armed Forces and have done so for four years, it is highly likely that you have a pretty good grasp of our constitution and what the military do, so you do not need to sit it.

That is what I would say the objective is: that everyone becoming a citizen has a basic understanding of life in the UK, its values and how we have become the nation that we are. Again, we can debate what should be in the test, but that is the objective.

I appreciate the point being made that people may make valuable contributions to UK society by volunteering, service that they may do or certain jobs that they do, such as those whom we welcome from overseas to work in our NHS. The issue is that when we start going down the path of making that part of the criteria, it becomes about how we assess it fairly. As was touched on earlier, how many hours a week would we consider to be an appropriate voluntary service? How would we evidence it? What would we ask people to do? Would we require a local organisation to send us a certificate to show that someone had been in for a couple of hours? Would some people do it just for that purpose?

I know that previous Governments looked at the concept of “earned citizenship”, but they always came back to some very subjective analysis of what we believe “earned” is. Is it campaigning in particular groups? If I do something in a campaign as part of a charity, that is great; but if I do it as part of a trade union, it is not? All those sorts of things start coming into play.

That is why we feel that the test is a baseline. It gives a fair and consistent way of assessing this, and we can make the requirements more reasonable by saying that you only really need to read this book to get some basic knowledge and facts, and then the test basically checks that you have read the book. I accept that some of the questions are not necessarily the most difficult, but it is more about ensuring that people have actually read the book and have that basic knowledge of the UK and life in it.

**The Chair:** I am not sure whether you have answered Lord Dholakia’s question.

**Kevin Foster MP:** On independent monitoring, we look at the pass rates, and we are always keen to have feedback from stakeholders. Obviously we monitor the contract as well, and the book is publicly available so that people can critique—as they regularly do—what is in it.

**The Chair:** We as a committee might come back to the points that Lord Dholakia raised if you are you okay for time.

**Kevin Foster MP:** Yes, I am fine for a couple more minutes.

Q32 **Baroness Kennedy of The Shaws:** Listening to what you have on your plate, Minister, I hope you will resist reductions being made in your department in the number of civil servants that you will need in order to fulfil your public obligations as a Minister on this portfolio.

I cannot speak for others on the committee, but I am feeling a bit disappointed at the moment, because we heard a lot of criticisms of the nature of the test. For my part, I think it has a lot of things in it that really are not important. I think it is important to talk about issues such as jury duty, how trials work and how it is important to be engaged in them, and that is how you display your responsibilities as a citizen. I think it is important that we explain to people that equality between men and women is vital, because many people come from parts of the world where the rights of women are still lagging behind, and that is reflected in attitudes about women's and girls' education and so forth. Material on that should perhaps be developed. There is a whole load of stuff—I cannot remember the name of the footballer, but apparently there is a question where you are supposed to remember the name of someone who won the World Cup in 1966.

**Other members:** Bobby Moore.

**Baroness Kennedy of The Shaws:** Bless him, and all due respect to him. My sons will all criticise me for saying this, but I really do not think it should be a requirement to know who won a football match. We should be concentrating on the things that establish important values such as giving something back, and that in gaining citizenship you also have things that we would like you to do, such as volunteering, making our civil society vibrant and so on. It sounds to me as though you are only talking about a bit of dickering around and removing a few questions. I do not think that is enough. This has to be seriously rethought.

**Kevin Foster MP:** That is actually what the in-depth review will do. It will look at what should be in there. Should we have the 1966 World Cup win in the book? Particularly if you are applying in Scotland, Wales or Northern Ireland, you may argue that that is not a very relevant fact, given that it was an England team, not a Great Britain team, but you might want to reflect on the performance of the UK team at the Olympics and London hosting the Games in 2012. That might be more appropriate.

Even then, is it about values? What are the facts that people need to have? A few years back, one of the previous iterations of the handbook contained a lot of stuff

about what entitlements you had for welfare benefits. That might be interesting, but it is probably not something you need to find out having been here for potentially six or seven years. Why would you test someone on that in a citizenship context when it may not necessarily be relevant?

**Baroness Kennedy of The Shaws:** It might be good to say that one of the things we take pride in is that we have a great commitment to a National Health Service and safety nets to make sure that people are supported when they are unemployed and so on.

**Kevin Foster MP:** That is what I was going to come on to: it might be more relevant to ask people about the NHS, founded in 1948, providing free healthcare rather than, for example, nuanced details of current welfare rules that even many of us sat around this table may not necessarily know.

**Baroness Kennedy of The Shaws:** It is about the values behind it.

**Kevin Foster MP:** I agree. It is about values. It is about how we make sure that people have fair knowledge. It might sound strange asking people about Bobby Moore in the context of becoming a British citizen—although, as we say, it always routes back to the fact that the only knowledge they need is what is in the book. The one thread that we need to keep with a reviewed book is that we are not expecting people to go off and do other, wider studying. It is fair if they know that they will only be tested on what is there. But I appreciate that it seems a bit weird to need to know that answer. Who scored the hat trick in that World Cup final may not be the most vital knowledge you need in day-to-day life here in the UK.

**Baroness Kennedy of The Shaws:** I am sure it is important in pubs.

**Kevin Foster MP:** It would probably be handy in a sports pub quiz. However, I take on board the point that in our consideration of the new handbook we need to bear in mind that it is more important to know things about, for example, the suffragette movement. You touched on values around women's equality, and of course there are LGBT rights. The nationalities of many of those applying to become British citizens include countries where same-sex relationships are still criminalised.

**Lord Blunkett:** Forgive me, I have an appointment with the Old Bailey and I am going to call upon one or two people around the table to represent me. My apologies to the Minister, to Mr Armstrong and to Baroness Chakrabarti. I just wanted to congratulate you on your longevity in the post compared with anyone else, and on the fact that you are still alive and kicking, because it is a terrible job.

**The Chair:** Thanks, David. Football might be relevant enough to understanding life in the UK to include the phrase, "It's not a matter of life and death, it's much more important than that".

Q33 **Baroness Chakrabarti:** Minister, I have been grateful for your expansive answers, which I am sure will be helpful. I hope you have not found the exercise too arduous. I think it is crucial to say that you have begun in your own evidence—perhaps when

you read it back, you will agree—to identify some of the areas that require attention. Triviality is not good; it makes us feel that this is a bit of a mockery. Subjectivity is something that you said early on you wanted to avoid. More recently, you have begun to talk about relevance and practicality. Perhaps all those aspects and other things might be published at some point in any consultation when the review is actually undertaken. That might be of value.

On the subject of values, this cannot be a test of a person's values, because people will learn whatever is the appropriate answer for the test, but it can in part be a test of knowledge about what we consider our values to be. That is an important distinction.

**Kevin Foster MP:** I would not disagree with a word of that. I think you are right. In the space of same-sex relationships, for example, we want to impart the knowledge that we see it as lawful, supported and something to be celebrated here in the UK. Someone filling in the answer might not believe that themselves, but it is right that they have the knowledge—and we have made sure that they have the knowledge—that that is something of value in British society.

I do not want to get into more subjective types of analysis—you cannot get into whether someone truly believes in a parliamentary democracy or particular values at their core—but it is about making sure that they are aware that those are values that they will be expected to abide by as a British citizen, and that those are matters that as a society, and potentially in the end the law, will take an interest in if they go against the values that we hold dear.

**Baroness Primarolo:** I want to follow up on that. Minister, you made an important point about values and ensuring that individuals understand the basic values that we operate on. Does that not point more towards us having a process that assists individuals in feeling included and wanting to be British citizens, of which the test is the final thing?

I am thinking in terms of what Germany does. The objective would be to make sure over time through various methods—not just tests but courses, for example—that people have been introduced to and appreciate the values that underpin British society, rather than just a test where they have a book and they learn what is in it. You yourself identified the difficulty of phrasing questions that are not too complex so that people stand a chance of being able to answer them, but are not so simplified that they might not be as specific as we might like. So why not a process—maybe some courses as well as the handbook—for those who want it?

**Kevin Foster MP:** It is probably more about at what point that is most relevant. One of the things we looked at more generally—

**Baroness Primarolo:** It might be relevant to people feeling part of British society and included.

**Kevin Foster MP:** It is not so much about whether it is relevant overall. It is about what point you do it at. Most people applying for citizenship have already been

living and working here for a number of years. The common pattern—this is one reason why I am grateful for the Lords amendment to the lawful residence test—is that someone is here for five years via the skilled worker or family route, they get ILR, and once the year is out of the way with no immigration restrictions they apply to be a citizen. That is the quick route, if I can put it that way. So for six years you have already been living and working here.

For me, particularly looking at some of the wider routes that we deal with, such as the settlement routes, a lot of what you are talking about is probably most relevant in the first three to four years here. It is when people arrive. It is about the support that is there for them when they arrive, even down to the basics.

We had a useful engagement with the Scottish Government. For example, we did large-scale evacuations from Kabul last year. One of the first things that the Scottish Government had to do was to introduce people who had been evacuated to Scottish law on the physical chastisement of children, for example. Clearly, that is lawful and culturally quite acceptable in Afghanistan, but it is a criminal offence in Scotland. So it is about how to ensure that that package of integration is there when people arrive.

Some people will have jobs and employers. The NHS has a very strong history of bringing people from overseas to work; they make an amazing contribution to our NHS and are an absolute credit to this country. There is a lot of support around that. But I am loath to see this as just something that we attach to citizenship, as a requirement that comes at the back end of citizenship.

On relevance, in some cases you could well have been living here for 11 or 12 years before you become a citizen. At the end of that, how much do I want to require you to head off to do a course to find out about living in the UK, as opposed to simply testing that you have some basic knowledge that has been assessed when you apply? Integration and making sure that communities feel at ease with each other is something that we should start a lot earlier than when people are applying for citizenship. I link that into not having an overly bureaucratic process to assess that when you come to apply to be a British citizen.

**Baroness Primarolo:** That is a fair point, but unfortunately it does not go on, and an objective is that it should, so that individuals are on a journey through the various statuses.

**Kevin Foster MP:** It is also about how we promote it. Do we proactively encourage people to become British citizens? I think that we should, but of course, at the same time, we should be clear that ILR can do a range of things as well so that people do not get confused and feel required to apply in certain circumstances.

**Q34 Baroness Shackleton of Belgravia:** Might it be possible to do different tests depending on how long you have been here? If you have been here, say, 17 years, you are likely to be highly integrated into society and not need to go on a course; whereas, if you are a relative newcomer, a course might be a very good way of

meeting like-minded souls.

**Kevin Foster MP:** I can understand the argument for that, although, looking at it the other way around, people always rightly request that I make the immigration and nationality system simpler so that people do not ask, “Which test do I need to book?” and all of those sorts of things. Inevitably, people who have been here longer might find the test easier than those who have been here for six years, in the same way as a question on who the UK’s Head of State is—I gave this example—might be slightly easier for an Australian national applying to be a British citizen than someone from a country where Queen Elizabeth II is not the Head of State. The same is true of questions on parliamentary democracy, for example. If you come from a country that has a parliamentary democracy similar to ours, they might be slightly easier than if you come from a country with a directly elected President.

We will stick with having one test, because it is about having a baseline that allows people to come through. We accept that some people, certainly those who have been here longer, might find it easier. If they have watched football match coverage, for example, they will know the answer to the Bobby Moore question, if that came up.

**Baroness Shackleton of Belgravia:** The observation that we got from witnesses was that if you go on a course earlier—this relates to Lord Hunt’s question—there is integration and camaraderie that you do not need when you have been here for quite a long time.

**Kevin Foster MP:** As I say, that is why we have kept it as what we see as a proportionate requirement, rather than a longer course or things that might be useful in your first year or two here. For example, we—certainly my colleagues in DLUHC—are doing a lot of work on those who have arrived from Ukraine in recent weeks, asking what the first knowledge you need to have is and thinking about a guide to the sorts of things that you would want to do in your first week in the UK and how to go about them. Everything from the law and opening a bank account to registering with a GP will be very useful in the first week, but I would not propose to test that in a citizenship paper five years later.

**The Chair:** Thank you. You covered a lot of ground and shared quite a lot of thinking with us. I look forward to the consultation. I am sure we will have things to say on it.