

# Home Affairs Committee

## Oral evidence: Channel crossings, HC 822

Wednesday 26 October 2022

Ordered by the House of Commons to be published on 26 October 2022.

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Members present: Dame Diana Johnson (Chair); Ms Diane Abbott; Paula Barker; James Daly; Simon Fell; Carolyn Harris; Tim Loughton; Stuart C. McDonald.

Questions 1-147

### Witnesses

**I:** Dan Hobbs, Director, Asylum, Protection and Enforcement, Dan O'Mahoney, Clandestine Channel Threat Commander, and Abi Tierney, Director General, Customer Services Capability, Home Office,.

**II:** David Neal, Independent Chief Inspector of Borders and Immigration.



## Examination of witnesses

Witnesses: Dan Hobbs, Dan O'Mahoney and Abi Tierney.

**Q1 Chair:** Good morning, everybody. The Home Affairs Committee is today looking at channel crossings. We have been looking at the issue for the last couple of years, and we produced a report on it, which the Government have responded to. We will publish their response shortly.

We were expecting the former Immigration Minister to answer questions this morning about the channel crossings situation. Unfortunately, because of the Government reshuffle, the Immigration Minister changed last night. We have a new Immigration Minister, whom we are looking forward to having before the Committee shortly.

I would stress that the last time the Committee had the Home Secretary in front of us was February. The Immigration Minister appeared before us in May. Things are moving very quickly, and it is important for this Committee, as a Select Committee of the House of Commons, to have access to Ministers and to be able to question and scrutinise the policies of the Government. I very much hope that we will have the Home Secretary, who has been reappointed, with us on 23 November, as she originally agreed when she was first appointed under the Truss Government.

On that basis, we are very pleased that we have officials with us this morning. We hope they will be able to answer our questions. I will ask them to introduce themselves to the Committee.

**Dan Hobbs:** Good morning. I am Dan Hobbs. I am the director for asylum, protection and enforcement in the migration and borders group at the Home Office.

**Abi Tierney:** Good morning; it is nice to see you again. I am Abi Tierney. I am the director general for customer services at the Home Office, which includes both the regular and irregular migration sides of operations.

**Dan O'Mahoney:** Good morning. I'm Dan O'Mahoney. I am the director of the clandestine channel threat command. I am responsible for the Government's operational response to illegal migration in small boats.

**Q2 Chair:** Thank you. You are all very welcome. We have a lot of questions for you. The first thing is to be clear about the situation we are in with the data. Unfortunately, various statements over the past few months seem to have caused confusion about what is actually happening. I will therefore start by asking what the numbers are this year of people arriving irregularly in the UK in small boats across the English channel. Who can give me those figures?

**Dan O'Mahoney:** I am happy to do that, Chair. So far this year, 38,000 people have arrived in the UK in small boats—in 936 boats. In January, it was 1,339; in February, 143; in March, 3,066; in April, 2,143; in May,



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2,916; in June, 3,140; in July, 3,687; in August, 8,631; and in September, 7,964.

- Q3 **Chair:** Those are very stark figures, aren't they? In 2018, I think, the then Home Secretary said it was a crisis, a major incident, and there were 200-odd crossing the channel then. How many have you been able to prevent? Are you able to give us that figure?

**Dan O'Mahoney:** We have worked with the French authorities, and I put on record my thanks to the French and to my opposite number, Préfet Louis-Xavier Thirode, with whom I work closely. So far this year, they have stopped 28,000 migrants, and they have intercepted and destroyed 1,072 boats. So, just over half the boats that have been attempted to be used to cross the channel have been destroyed. In terms of both migrants and boats, that is about double what the French authorities managed to achieve last year. That is really significant, and I pay tribute to them for that.

My team and I spend a great deal of time in France. We have invested a huge amount of effort into improving the operational response there. We travel there week in, week out, and that included all the way through the covid restrictions.

To put the figures in context, it would be similar to me or one of my chief constable colleagues appearing before the Committee and you saying, "I want you to eliminate all of one particular crime type in your force area." To have intercepted half of the attempted crossings is a significant achievement, but we know of course that we have to do more, because the numbers, as you say, Chair, are still completely unacceptable.

- Q4 **Chair:** Certainly, Ministers were expecting numbers to go the other way and not to be rising so that we are at 38,000 by October. That is well above what it was last year, in the whole year. I will bring Tim in, but first I will ask another question: of the 38,000 people who have arrived, how many have claimed asylum?

**Dan O'Mahoney:** Asylum claims this year are at 93%, which is slightly lower than last year, at 98%. I imagine you want me to go into a bit more detail about that later, but a large proportion of that reduction is among the Albanian migrants who have crossed this year, many of whom choose not to claim asylum.

- Q5 **Chair:** We will go on to that in a moment. In terms of asylum claims made in previous years, what percentage of those made by people coming across in small boats has been successful?

**Dan Hobbs:** Of the 2021 arrivals, 85% were granted either refugee status or some other protection status—

**Chair:** Eighty-five per cent.

**Dan Hobbs:** Yes.

- Q6 **Chair:** That is very different from the statements made by the Home



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Office—that 80% to 90% of people coming across were economic migrants. You are saying that 85% of the asylum claims have been successful.

**Dan Hobbs:** Of the claims by arrivals in 2021 that have been completed, it is 85%.

**Chair:** Right. I'm going to bring in Tim.

Q7 **Tim Loughton:** On two points of clarity: first, how many have been completed? What percentage has been completed? It is 85% of what?

**Abi Tierney:** 96% are still awaiting a decision, so it is a very small—

Q8 **Tim Loughton:** 96%?

**Abi Tierney:** Are awaiting a decision, yes, from 2021.

**Chair:** It is 4%?

Q9 **Tim Loughton:** So it's 85% of 4%?

**Witnesses:** Yes.

Q10 **Tim Loughton:** That's a ridiculous figure, isn't it? We have not processed 96% of the claims from the people who arrived in small boats in 2021. Of the 4%—only 4%—that have been processed, there is an 85% success rate. That is what you're saying.

**Witnesses:** Yes.

Q11 **Tim Loughton:** So a vast number of people still do not know if their claim is going to be successful or not and are residing in the UK at taxpayers' expense.

**Dan Hobbs:** Yes. They will be at different stages—some may be pending their appeal—but, as is well documented by the statistics, there is a challenge in processing asylum claims in a timely way at present.

Q12 **Tim Loughton:** Challenge is not the half of it, is it? On the other point of clarity, I want to go back to Commander O'Mahoney. You congratulated the French on stopping 28,000 migrants. That was the figure, wasn't it?

**Dan O'Mahoney:** Yes.

Q13 **Tim Loughton:** So, on a point of clarity, perhaps we could have that in percentage terms. How successful has their intercept rate been as a percentage of the numbers attempting to cross? Obviously, the numbers of people who have successfully attempted are greatly up on last year. Could you confirm that those 28,000 migrants could actually be 1,000 different migrants 28 times? It is not 28,000 different migrants, is it?

**Dan O'Mahoney:** On the percentages, 42.5% of the people who have attempted to cross have been stopped crossing; 53.4% of the boats that have been used have been intercepted and destroyed.

Q14 **Tim Loughton:** Against what percentages the year before?



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**Dan O'Mahoney:** Last year, it was approximately 50% of people and about the same for boats.

Q15 **Tim Loughton:** Okay, so the French are intercepting a lower percentage.

**Dan O'Mahoney:** A lower percentage, but a much, much bigger number.

Q16 **Tim Loughton:** Let's just get this absolutely right. The hit rate of the French authorities intercepting migrant groups coming across, as a percentage of those trying, has fallen, despite the additional resources that we pay the French to do that. Also, we have no idea how many different people those "28,000 people" represents. Many of them are probably the same migrants on repeated attempts, so the French have not stopped 28,000 different migrants; they have intercepted 28,000 migrants, many of whom will be the very same migrants they may have intercepted the previous night, week or month. That is correct, isn't it?

**Dan O'Mahoney:** It is correct to say that migrants can attempt to cross on more than one occasion, and therefore those 28,000 migrants may not be individual, different migrants. Those were 28,000 attempts.

Q17 **Tim Loughton:** Right, and the reason there are repeated attempts is because the French do not detain, arrest and process the migrants. They are allowed to go free.

**Dan O'Mahoney:** That is correct, because the French legislation makes it very difficult for French officers to take any action in that way. That is why it is really important that we mention the number of boats that have been intercepted and destroyed as well, which, of course, hits the organised criminal gangs in the pocket and makes it less profitable, which is an important part of our response.

Q18 **Chair:** Going back to Mr Hobbs, we were talking about the 85% where there had been asylum or refugee status conferred—that was 85% of 4% of the people who had come to the UK on small boats. You said that some people might be appealing. I want to be clear: are you saying that these are people who have had asylum or refugee status granted—

**Dan Hobbs:** In those claims that have been substantively considered and have had a decision served, 85% of those who applied in 2021 have had a grant. As we said, though, 96% of those claims remain outstanding. So, it is a small proportion of the arrivals that have had a substantive consideration and a grant.

Q19 **Chair:** And the people who are coming across just get added to the 100,000 backlog that you already have in the Home Office in dealing with asylum claims. This is just adding to the numbers all the time.

**Dan Hobbs** *indicated assent.*

Q20 **Chair:** We will move on to claims of modern slavery in a moment with Carolyn Harris, but I want to be clear about whether the Home Office is planning to publish the breakdown of asylum claims and modern slavery claims that we have just been discussing in terms of the small boat crossings. At the moment, we are just getting the headline figure of the



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numbers of people coming across. Are you planning to do that?

**Abi Tierney:** I do not know the answer to that. We will come back to the Committee and confirm the publication plans.

**Chair:** We would be very grateful if you would write to us, because that information is very helpful in being able to see what the facts are.

Q21 **Paula Barker:** On the asylum backlog, I represent a constituency in the north-west—Liverpool Wavertree—and my team and I see at first hand, day in and day out, the utter chaos in dealing with the Home Office on asylum claims. Some of my constituents who are going through the process are reporting to my office that they have not had an interview for two years. Is there any scope at all to engage with northern MPs about what could be done? And what work is being done to look at the geographical spread of refugees?

**Abi Tierney:** We are really happy to look at how we can engage with you. There is significant work ongoing to look at dispersal to make sure that it is more balanced and spread throughout the country, and we are working with local authorities to do that. We are also doing a lot of work—maybe we can come to this; I think some of the questions may relate to it—to transform how we are going through the decision-making process to try to speed it up.

**Chair:** We are going to come to that.

Q22 **Simon Fell:** Briefly, Mr Hobbs, on the 4%, for the Committee's clarity, are you just pulling the top cases off the pile or are you prioritising in some way by ethnic group or country of origin? How do you get to that?

**Dan Hobbs:** Abi may be better able to answer, because she runs the operation.

**Abi Tierney:** I was going to come on to that. We prioritise the vulnerable, so families and things like that will also have an impact on the grant rate. We are prioritising those in the process.

Q23 **Simon Fell:** So it is not necessarily by the amount of time that you have spent in the country.

**Abi Tierney:** No.

Q24 **Simon Fell:** There other factors that you weigh in there. Okay, thank you. I have a quick follow-up for Mr O'Mahoney. You talked about the success of the French in stopping some of the boats coming across. In terms of what is happening downstream—stopping some of the organised criminal gangs and wrapping those up—do you have any metrics around the impact that they are having there?

**Dan O'Mahoney:** Yes, absolutely. I probably should have said earlier that it is really important to see what the French are doing on the beaches as one brick in the wall of our overall operational response, which is hugely broad and very complex. Our operations against serious and organised criminality are a really important part of that as well, co-operating with



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the French through the very successful joint intelligence cell that is based in Calais. That joint intelligence cell has dismantled 55 serious and organised crime groups and made 500 arrests since we created it a couple of years ago. There was an operation that was a really good example of that, which you may have seen in the press yesterday. Great co-operation between the NCA, the French authorities and the joint intelligence cell resulted in six arrests of Afghani, Sudanese and French people, and the seizure of four boats and motors, and 133 lifejackets. That is just one example of the operational co-operation that is another really important part of our overall response.

**Q25 Paula Barker:** I think we can all agree that the facts in respect of asylum make an extremely compelling case, so would it be fair to say that the Home Office is by far the worst-performing Department across Whitehall?

**Abi Tierney:** One of the challenges we have is that, as well as the time taken to make decisions, as a result of the wider global challenges that we are facing, there has been a significant increase in intake. It has gone up 77% since 2019. We are increasing the number of decision makers; we have increased our decision makers from—

**Chair:** We will come on to that. You are not at the level that you told us you would be at. That's fair, isn't it? But we will come on to that.

**Q26 Carolyn Harris:** Modern slavery is a crime against vulnerable people. How do you see modern slavery being moved from the Minister for Safeguarding to the Immigration Minister as in any way helpful to stopping modern slavery, prosecuting offenders and supporting victims?

**Dan Hobbs:** Apologies, I think ministerial portfolios are a matter for the Home Secretary and the Prime Minister rather than officials. We obviously had a change yesterday, both in Home Secretary and in Ministers. It is fair to say that, under the previous Government, it was Minister Pursglove who was responsible for the immigration links into the modern slavery system, and there was still oversight by the Minister for Safeguarding. As I say, ministerial portfolios are a matter for Ministers and the Government rather than officials, I'm afraid.

**Q27 Carolyn Harris:** Okay. In September, the Bakhita centre of St Mary's University highlighted the barriers for British victims of modern slavery. Are you concerned that the reclassification will prevent British victims from accessing appropriate services because they will now be considered by an Immigration Minister?

**Dan Hobbs:** As I say, it is unclear at this stage. The ministerial portfolios are a matter for Ministers. Speaking on behalf of my colleagues who run the national referral mechanism and the policy around that, which sits in the public safety group in the Home Office, British nationals are still the predominant—the single biggest—nationality in the system. As I said, even under the previous Government, there was still a role for the Minister for Safeguarding. Some elements of the work we have been trying to do on the misuse of the modern slavery system are around providing assurance that the system is there to protect genuine victims, be they British



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nationals or foreign nationals. Again, that has been a focus for the Government—looking at how to make timely decisions and ensuring the right protection for those people who require the protections of the modern slavery system.

**Q28 Carolyn Harris:** Do we know whether a refreshed modern slavery policy or strategy will be issued?

**Dan Hobbs:** At this stage, I don't know. Obviously, we had new Ministers appointed yesterday. That is not something we have been able to get clarity on for this morning.

**Q29 Carolyn Harris:** Home Office statistics state that the greatest proportion of persons commonly referred to the national referral mechanism are Albanian—27% between April and June 2022. What is driving the increase in the number of Albanian nationals being referred to the national referral mechanism?

**Dan Hobbs:** There are a number of things there. I think the statistic relates to non-British nationals going into the national referral mechanism. The number of Albanians has, in recent months and years, significantly increased. In the whole of 2021, there were 2,508 Albanian nationals. This year alone, there have been nearly 3,000 Albanian nationals referred into the national referral mechanism. That is also linked to the number of Albanians who are appearing in small boats. Over recent months, there has been a significant increase, so some of that proportion comes from Albanian nationals who arrive in small boats and are then referred into the national referral mechanism because of interactions with the first responders at either our immigration services in Dover or at other points in the journey.

**Q30 Carolyn Harris:** You have mentioned the fact that we are in a bit of turmoil in terms of Home Office Ministers, but the then and now Home Secretary reiterated in her conference speech earlier this year the assertion made frequently by Ministers over the past year about false claims of modern slavery being made to bypass the immigration system. However, no data has been published on the number or proportion of NRM referrals that are conclusively found to be false. What data is there on the number of false claims of modern slavery made in the past two years to the NRM regarding Albanians?

**Dan Hobbs:** My understanding from the data we have available is that around 90% of Albanians who go into the national referral mechanism get a "reasonable grounds" that they are a victim of modern slavery, which is the first stage. Ninety per cent. go on to be concluded. It takes about 450 days at the moment, so that is not directly related to recent arrivals. Ninety per cent are granted conclusive grounds that they are a victim of modern slavery or trafficking. However, Albania is a member of and a signatory to the Council of Europe convention on action against trafficking in human beings. Just as British victims in the UK access our system, the Government are seeking to avoid Albanian nationals using people smugglers to get to the UK to seek protection under the NRM. That is available to them in Albania. However, we meet our international



obligations under the ECAT, and those people who are found to be a victim of modern slavery are given a positive conclusive-grounds decision.

- Q31 Carolyn Harris:** Can I just drill a bit more into that? Data has been published about the number of referrals to the NRM from immigration detention. Is there any data about the number of referrals that have been conclusively identified as false claims? I understand there have been many requests from NGOs, MPs and people from all walks of life for specific figures on those who are conclusively not taken into the NRM. Are there figures, and if so, can they be published?

**Dan Hobbs:** Publication is obviously a matter for Ministers. As I said, I think around 90% of Albanians who go into the NRM are found to have conclusive grounds that they are a victim. Therefore, 10% are not. However, that is because of the delays in the NRM system; it currently takes around 450 days to conclude cases. That data relates to other arrivals, not directly to small boat arrivals. That will be all Albanians who are referred into the NRM.

- Q32 Carolyn Harris:** What happens to the people who do not claim asylum or declare themselves as victims of modern slavery? What happens to them and where do they go when they come off the boats?

**Dan Hobbs:** If someone arrives and does not claim protection, or is not referred into the NRM because there are reasonable grounds to believe they are a victim of modern slavery or trafficking, then they would be treated the same as any other person who arrives in the UK and doesn't have leave to remain. They may be detained, and they may be removed from the UK where there is a pathway to removal. That is the same as anybody else who is in the UK without lawful permission.

- Q33 Carolyn Harris:** Yes, but where do they go? Do they go to centres? Are they put into the community?

**Dan Hobbs:** It will depend on individual cases. Some may be detained if there is a realistic prospect of removal, which is in line with Home Office policy and guidance on detention. Or they may be bailed and required to report to the Home Office to arrange for their documentation and their removal process, or for their voluntary or enforced return. It will depend on individual cases.

- Q34 Carolyn Harris:** Technically, if they were bailed and went into the community, they could just disappear into thin air. We would never know where they were or how to find them, or be able to send them back anywhere.

**Dan Hobbs:** Correct. We do have the ability to tag individuals who are subject to immigration bail, but whether the person is bailed, bailed with a tag or bailed with other conditions comes down to the individual case and the circumstances—the same as with people who are prosecuted for criminal activity in the UK. Or they may be detained.

**Carolyn Harris:** Thank you.



Q35 **Tim Loughton:** Can I just come back to the Albanians? I will come back to Commander O'Mahoney again. There has been a big surge in the numbers coming across in small boats who are Albanians. At one stage, it was estimated to be about 60% of those coming across. To take on Carolyn Harris's question, why do you think that is, and what are the current numbers very roughly as a percentage?

**Dan O'Mahoney:** It might be helpful to paint a picture of the type of illegal migration that we are talking about this year, and just how quickly the scale has accelerated. Two years ago, 50 Albanians arrived in the UK in small boats. Last year, it was 800. This year, so far, it has been 12,000—of which about 10,000 are single, adult men. The rise has been exponential, and we think that is in the main due to the fact that Albanian criminal gangs have gained a foothold in the north of France and have begun facilitating very large numbers of migrants.

Within that cohort, there are undoubtedly people who need our help, but there is also a large number who are deliberately gaming the system. I should preface what I am about to say by saying that I travelled to eastern Europe when I was serving with the Royal Marines, and I have met many Albanians there and in the UK. There is a very strong, vibrant Albanian community in the UK that makes a great contribution to our country. The flipside of that, as I know from my time in the National Crime Agency, is that there is a huge amount of very harmful serious organised criminality in the UK committed by Albanian criminal gangs. Whatever sort of criminality you can think of—the most serious sort—there are Albanian criminal gangs dominating in those markets, whether it is drug smuggling, human trafficking, guns or prostitution.

A lot of the Albanian migrants come into the UK in small boats because it is a very successful way of getting here. Some of them, of course, need our help and make legitimate asylum claims, but the asylum grant rate for single Albanian men is actually quite low—I think it is about 12%. Typically, they may choose not to claim asylum, as Dan was just explaining, or they may claim asylum, but a lot of them are not actually interested in seeing their asylum claim through. They just want to get through it as far as they can. We typically put them in a hotel for a couple of days, and then they will disappear. They work illegally in the UK for maybe six months or a year, they send the money home, and then they go back to Albania. They are able to do that because the way the asylum system and the NRM works makes it quite easy for them to do so. To put that in context, that number of 10,000, depending on how you classify that, means that between 1% and 2% of the entire adult male population of Albania has travelled to the UK in small boats.

On Abi's point, we are having to deal with a global trend. You look at it in the channel and in France, but you need a bigger map. Last year, it was Afghanistan; this year, it is the war in Ukraine. The big phenomenon this year is that it has changed from almost exclusively an asylum problem to 50:50 an asylum problem and an illegal migration problem. To put it in context, the rise in the numbers has been exponential. Our ability to



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respond to that is challenging. That is why the steps we are taking, from policy to operations to everything else, are so important.

**Q36 Tim Loughton:** It is really helpful to have that detail. I entirely recognise that. Is it still as much as 60%—is that problem continuing? We have heard stories about coaches being laid on from Tirana to Calais to facilitate this. Is that true from what you have heard? Then can we talk about how many Albanians have been returned to Albania?

**Dan O'Mahoney:** The proportion was as high as 50%, or 49%, in August. At the beginning of the year, it was very low. It peaked in the summer and is reducing very slightly now, but it is still quite large.

**Q37 Tim Loughton:** So they are the biggest single nationality coming here? From what you say, it is a much bigger percentage than Afghan citizens or others were in previous years.

**Dan O'Mahoney:** It certainly has been for the majority of this year.

**Q38 Chair:** Sorry—just on that, what are the other categories? You are saying that Albanians are the largest category. What are the other categories?

**Dan O'Mahoney:** From memory, the most frequently found nationalities are Albanians, Afghans, Iraqis, Syrians, and then horn of Africa nationalities come after that. But from month to month, it will change.

**Q39 Tim Loughton:** And yet, circumstances in Albania have not changed, as far as I know. There is no war in Albania. There are no out-of-the-ordinary human rights scandals going on in Albania, so the circumstances for people leaving Albania are no different from two or three years ago.

**Dan O'Mahoney:** That is probably right. It is certainly a poor country, but it is not a dangerous country. I can well understand why people want to travel from there.

**Q40 Tim Loughton:** So we are talking about economic migrants, largely. Mr Hobbs, I want to ask about people who do not have a case to stay in the UK and those who then put in a claim that they are victims of modern-day slavery. It appears that a large proportion of Albanians have all of a sudden become victims of modern-day slavery. Given that Albania was a signatory to the international convention, if they are found to be victims of modern-day slavery, why should that entitle them to stay in the UK, rather than being helpfully guided back to Albania, with checks made with the Albanian Government so that they can be protected and properly looked after there? Why do they have to stay in the UK, or do they not?

**Dan Hobbs:** They do not have to stay. A conclusive-grounds finding of modern slavery or trafficking does not automatically bestow the right for an individual to stay in the UK. It requires us to ensure that their ongoing recovery needs can be met in the country to which you are returning them. In the case of Albania that may be possible. It comes down to an individual assessment, but there is no default—unlike asylum, where if you are granted refugee protection, you get a period of leave and associated rights. Having a finding of conclusive grounds of being a victim of modern



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slavery does not necessarily automatically grant you a right to stay in the UK. There is an assessment need about whether you need to stay in the UK.

There may also be a period of discretionary leave that is granted, as we set out in the Nationality and Borders Act. That may be where someone is supporting a prosecution or criminal proceedings on an individual, but that is not an automatic right to stay. What it does do is prevent removal; under our policy, if you have reasonable grounds that you are a victim of modern slavery, there is an automatic 45-day rest and recovery period where we cannot proceed with the case until the conclusive-grounds stage. Because of the numbers in the system and some of the challenges that we see in terms of how evidence is accumulated in reports, it takes 450 days, which means we have to let people out of detention generally and it delays their removal.

- Q41 **Tim Loughton:** I understand. I have two further questions. First, how many Albanians who have been found to be victims of modern slavery have we been able to facilitate and safely return to Albania? Secondly, how many Albanians who have been detained and who are under investigation or in jail have we paid to return to Albania voluntarily?

**Dan Hobbs:** I will have to write to you on that; I do not know those specific numbers. I know that since we made the returns agreement with Albania last year, we have removed 1,000 Albanians in the course of the last year and a bit. Some of those will be foreign national offenders and some will be individuals found to have no right to remain in the UK, be that at the end of the asylum system or because, when they arrived, they did not have a referral to either the NRM or the asylum system. We would need to write to you on those figures.

- Q42 **Tim Loughton:** We have a programme of paying money to those Albanians for them to return to Albania. Is that true?

**Dan Hobbs:** The Government have an assisted voluntary returns programme, which they have had for many years, to support individuals to return voluntarily. I do not know exactly how many Albanians have been offered funding under that scheme to support their return, be that with tickets and reintegration, but we would have to write to you on that.

**Tim Loughton:** It would be helpful if we could have those figures, please.

**Chair:** Yes, please. I will go to Stuart McDonald.

- Q43 **Stuart C. McDonald:** Thank you, Chair. Thank you to our witnesses for coming along today. I want to turn to the issue of conditions at Manston. As a Committee, we visited it in June—I think—and to us it seemed reasonably well set up for a short-term holding facility. Certainly, for those who had seen Western Jet Foil, it was an improvement on that particular facility. From the reports that we are now seeing, it seems to have descended into a state of absolute chaos and disaster. How has that happened? Is it correct that we now have 3,000 people at Manston, as opposed to the 1,000 maximum that are supposed to be there?



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**Dan O'Mahoney:** Thank you, Mr McDonald, for taking the time to visit Manston earlier this year; it makes it much easier to contextualise what I am about to say. Manston was established earlier this year; we started operating it in February. It was a recognition of the fact that the facilities that we had on the docks site down in Dover were not sufficient to deal with the volumes we thought we were going to experience this year.

The way the operation works is that down at the Western Jet Foil, which I believe you saw, was an immediate welfare and safety of life at sea provision with immediate medical care. We put people into dry clothes, and then we take them up to Manston, where we carry out full border security checks. Anybody of interest to us from a border security point of view will either be arrested by the police or taken into detention, and they will be fully asylum screened as well. The aim was to run a site that had between 1,000 and 1,600 people passing through it every day, and that all of those checks would be completed in under 24 hours. For a large part of this year, that is exactly how it was operating, and you will have seen that.

However, the Manston model relies on outflow and our ability to move people out of Manston quickly, either into detention or into asylum accommodation—asylum accommodation being, in the main, hotels. As the year went on, it became increasingly difficult to move people off the site, and we have had to increase the capacity of the site and then, necessarily, the length of time that people have been on the site, because we have not been able to move them out into asylum accommodation as quickly as we would have wanted to.

Q44 **Stuart C. McDonald:** We will come on to explore some of the reasons why we cannot get folk out of there, but isn't it fair to describe this as a dangerous situation from a variety of perspectives? Is it 3,000 people who are now being held there? That is more than in any prison in the whole of the United Kingdom.

**Dan O'Mahoney:** Those numbers are broadly accurate, yes. There have been about 3,000 people there.

Q45 **Stuart C. McDonald:** On current trends, according to some of the reports we have seen, it could drive to 5,000 unless there is a sea change in how we manage this process.

**Dan O'Mahoney:** We are working really, really hard across the Department and across Government to make sure we can move people offsite as quickly as we possibly can and into accommodation, and to get the population there down to a manageable level. I do not recognise the figure of 5,000, but I hope it will be a lot less than 3,000 very quickly.

Q46 **Stuart C. McDonald:** In terms of the dangers there, for a start, there are reports of an outbreak of diphtheria, which is obviously a highly contagious and potentially very dangerous—possibly fatal—disease. That is potentially catastrophic. Is that correct? How many cases have been identified?



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**Dan O'Mahoney:** I would not describe it as an outbreak. We have a very large population at Manston, and we have very good health provision there. We have 24/7 coverage from paramedics, and we also have doctors on the site every day. There has been a very small number of cases of diphtheria—low single figures—and some other health issues, but they are being dealt with very expeditiously and expertly by our medical teams on the ground.

Q47 **Stuart C. McDonald:** How are they being dealt with? Are they still onsite? Are they isolated? What is happening with them?

**Dan O'Mahoney:** We are working really closely with the health authorities on this. If appropriate, they are taken straight to hospital where they will be dealt with, or they will be dealt with at our clinic onsite.

Q48 **Stuart C. McDonald:** What about the rest of the population? How can you be certain that this is only low single figures? What testing is happening?

**Dan O'Mahoney:** We have a really good medical team onsite. I go down there once every week or so, and I have met the medical team down there. They do their rounds every day across the population. They pick up issues: when people need to be isolated, they are, and they are given a decent standard of medical care.

Q49 **Stuart C. McDonald:** But you are talking about 3,000 people here. Is there a GP onsite?

**Dan O'Mahoney:** There is a doctor onsite, yes.

Q50 **Stuart C. McDonald:** What hours is the doctor there?

**Dan O'Mahoney:** I am not 100% sure, but I know there is 24/7 medical cover there.

Q51 **Stuart C. McDonald:** In the form of paramedics, though?

**Dan O'Mahoney:** There are paramedics and doctors onsite. I cannot give you the exact hours that the doctors are there.

Q52 **Stuart C. McDonald:** Are there nurses available?

**Dan O'Mahoney:** Not to my knowledge, but there are doctors and paramedics.

Q53 **Stuart C. McDonald:** That seems incredibly worrying, but you are saying to us that you are confident that this is under control, and that there will not be a wider outbreak.

**Dan O'Mahoney:** What I am saying is that it is an incredibly challenging situation.

Q54 **Stuart C. McDonald:** What would you like to see done? If the Home Secretary was able to do something about this, what would be top of your list of suggestions to her?



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**Dan O'Mahoney:** We are working as a Department and across Government to find accommodation to move people into as quickly as possible.

Q55 **Stuart C. McDonald:** A second issue is the length of time that people are being detained there. The Refugee Council, for example, highlighted one 17-year-old who had been there for something like 19 days and had come out with scabies, which is another apparent outbreak on this site. For a start, that is totally illegal, is it not? This is supposed to be a short-term holding facility.

**Dan O'Mahoney:** We aim to keep people onsite for 24 hours or less, and for the majority of this year, we have managed to do that. We will move people offsite as soon as we have accommodation for them. We do not want people being onsite for that long.

Q56 **Stuart C. McDonald:** I accept that this is not anything that any of you want to see, but I need to establish the facts. Given the fact that it is a short-term holding facility, how long does that give the Home Office the right to detain somebody? Is it 48 hours? Is that correct?

**Dan O'Mahoney:** The short-term holding facilities rules allow for 24 hours.

Q57 **Stuart C. McDonald:** We must be talking about hundreds—possibly four figures—who have been detained illegally, because they have been there for more than 24 hours.

**Dan O'Mahoney:** There are certainly people who have been there for much longer than 24 hours.

Q58 **Stuart C. McDonald:** Are we talking hundreds?

**Dan O'Mahoney:** I do not know the exact number.

Q59 **Stuart C. McDonald:** Can you try to look into that for us? Presumably all of these people are going to be entitled to compensation at some point for illegal detention.

**Dan O'Mahoney:** I would not want to comment on legal advice at the Department, as you will understand.

Q60 **Stuart C. McDonald:** But this place is not set up for people to be there more than 24 hours. There are no proper sleeping facilities and no segregation. This is just an absolute disaster.

**Dan O'Mahoney:** It is a really difficult situation. It is not a situation that we want to be in. We are working really hard to get out of it as quickly as we can.

Q61 **Stuart C. McDonald:** On the other side of the safety coin in a situation like this, we have got a population that is larger than any prison in the UK, with increasing tension, boredom and outbreaks of violence. What happens if there is violence and staff are bitten or weapons are produced? What happens to people in those circumstances? Again, are



there not issues around detention and the legality of that?

**Dan O'Mahoney:** There have been isolated incidents of violence, mainly between the residents on the site. They are very quickly dealt with by properly trained officers. Where a crime has been committed, they will be arrested by Kent police and dealt with in the normal way.

Q62 **Stuart C. McDonald:** Finally, there was a report from the current Home Secretary in her previous stint—some sort of briefing to a newspaper in relation to the establishment of what were termed Nightingale courts, in an attempt to ramp up mass prosecutions of boat arrivals. Is that something that the Department is seriously looking at?

**Dan O'Mahoney:** I do not recognise that exact description, but certainly we are trying to increase the number of prosecutions, particularly for the facilitation of illegal migration.

Q63 **Stuart C. McDonald:** Does anyone else have any knowledge of discussions that were said to have been ongoing with the Ministry of Justice about establishing courts to try to increase the number of these prosecutions?

**Dan Hobbs:** You will be aware that in the Nationality and Borders Act we took new, amended prosecution powers. Those were implemented on 28 June. As Mr O'Mahoney has said, it is right that we look at how we use those prosecutions, particularly of the facilitators; and that we look, in line with the wider Ministry of Justice issues around the criminal courts, at how those prosecutions can be taken forward.

Q64 **Stuart C. McDonald:** Yes, but you mentioned specifically facilitators, and that was the reassurance we were given by Mr Pursglove during the passage of the Bill. I objected absolutely to the idea that we would just prosecute everybody, and he said in no uncertain terms that that was not how these powers would be used, and it would only be the gang organisers and so on. Is that still the case, as far as you are aware?

**Dan Hobbs:** I think Mr Pursglove said that there were two offences. One was the facilitation, which now has the maximum life sentence, and those for the illegal arrival in the UK were linked to the egregious cases. Again, on a case-by-case analysis, and in line with the CPS standard tests, they would look to use those prosecution powers as well.

Q65 **Stuart C. McDonald:** I have one more question, if I may. In terms of trying to get people through the system, as far as I am aware there are several thousand Afghans and several thousand Syrians still in the asylum system, so you are talking about a total of 15,000 or 16,000. I think the grant rate for these nationalities is in one case 98%, and in the case of Afghans 91%, although I presume that will rise when the new figures are published. Half of them have been waiting for over six months. Would it not be easier for the Department to get 8,000, 9,000 or 10,000 people out of the asylum system and free up the accommodation if it just expedited those cases? Why is it difficult to provide grants of asylum for what seem relatively straightforward cases, thus freeing up capacity to get people out of Manston?



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**Dan Hobbs:** As you know, asylum has to be an individualised decision. There has to be veracity of someone's nationality and their case, because granting someone refugee status requires a process. We are working through those cases, and there will be a variety of reasons—individual to those cases—why some of those cases may take longer than others.

Q66 **Chair:** Okay. We will move on to the way immigration decisions are made in future questions. I want to go back to the question of when the figures started to exceed the 1,600 capacity for Manston. When did that start?

**Dan O'Mahoney:** It started in late September.

Q67 **Chair:** September. What happened, then, in terms of the Home Secretary? Did you meet with her? Did you explain what the situation was? I want to know what action was taken at that point.

**Dan O'Mahoney:** We meet very regularly with the Home Secretary on a range of operational issues, yes.

Q68 **Chair:** What did she say to you about the fact that numbers were rising at Manston? What was the action?

**Dan O'Mahoney:** As I say, the action that we are trying to take, urgently, is to increase the amount of accommodation that we can use to move people off the site.

Q69 **Chair:** So she instructed you to go out and find more accommodation. That was what the Home Secretary did in September, when the numbers started to rise.

**Dan O'Mahoney:** That is part of our plan, and our main priority, to solve the problem.

Q70 **Chair:** Right. You obviously were not very successful in finding accommodation when the numbers carried on rising. What happened then with the Home Secretary?

**Dan O'Mahoney:** I think it is important to understand the pipeline for finding hotel accommodation. It needs a very long lead time, of about two months, because there are a lot of commercial and value-for-money considerations, and that sort of thing, and community engagement needs to be done.

Q71 **Chair:** Okay, but we have just been discussing that there are legal problems with the situation there: potential claims that could be made and statutory duties that are not being fulfilled. I am trying to understand what Ministers did at the point that that was all happening and numbers were starting to increase.

**Abi Tierney:** As Dan said, more hotels were identified. It is my team that is working and negotiating to stand up those hotels. Three got stood up on Monday. There is another—

Q72 **Chair:** Three got stood up on Monday. So, between September and this Monday, did anyone move into a hotel?



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**Abi Tierney:** Yes.

**Chair:** They did.

**Abi Tierney:** Yes. There are a number of different ways that people can outflow from Manston. Some can move into IRCs, and some can move into hotels. So yes, there has been outflow, but there has also been intake.

Q73 **Chair:** And the numbers are still carrying on. I am going to move on, but I am conscious that last year, in November, we had the highest number of people coming across, so the numbers are likely to increase further next month.

**Dan O'Mahoney:** They certainly could. You are right: November was the busiest month last year.

Q74 **Paula Barker:** On that, can I ask for a point of clarification? The hotels' lead-in time is two months, and you said, Mr O'Mahoney, that some individuals have been at Manston for longer than the legal 24-hour period. Of those individuals, what is the longest period of time, to your knowledge, that somebody has been there?

**Dan O'Mahoney:** It is about a month.

Q75 **Paula Barker:** A month. Can you write to us with a full breakdown of how long people have been there?

**Dan O'Mahoney** *indicated assent.*

**Chair:** It would be helpful if you could also set out the action that has been taken since this started to become a serious problem, because it would be good to see the flow of people out of Manston into hotels. It is quite clear that the Home Secretary was saying, "You need to get these people out; you need to get them into hotels."

**Dan O'Mahoney:** As part of our wider plan, that is a pillar in that plan, yes.

Q76 **Chair:** Just so I am clear, when the new Home Secretary came in last week, did he take any particular action?

**Abi Tierney:** Each day, we are identifying potential new hotels, so when those new hotels were identified while we had Grant Shapps in, he also signed off on some of those hotels. Yes, he was very actively engaged.

Q77 **Chair:** He was actively engaged. Was the Home Secretary before him actively engaged on this?

**Abi Tierney:** Yes.

Q78 **Ms Abbott:** On Manston, why does it take so long to identify hotels? You have 3,000 people backed up there. Why does it take so long to identify the hotels?

**Abi Tierney:** It is because of the numbers that we currently have in hotels. We have a very large number in hotels, so the supply of hotels is



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getting smaller—particularly hotels that have the available facilities in the appropriate locations, and so on. It is a supply challenge.

Q79 **Ms Abbott:** You said, “appropriate locations”. What do you mean by that?

**Abi Tierney:** One of the things we look at is either that there is public transport available close by or that there are amenities close by, such as shops, so that people are able to access the things they need. It is those kinds of considerations, as opposed to a hotel being very isolated.

Q80 **Ms Abbott:** But, on balance, would people not rather be out of Manston, even if there is not a bus route near their hotel?

**Abi Tierney:** There are a lot of different things that we have to do when we are trying to stand up and negotiate a hotel. As Dan mentioned, it is about making sure we are negotiating and that it is value for money as well. We need to get a whole hotel—to be able to use it completely and solely for asylum seekers—which means the hotel potentially has to cancel its other bookings and move people out of it. It is all those kinds of processes too.

Q81 **Ms Abbott:** Thank you very much. Mr O’Mahoney, how effective has the joint agreement reached with France in July last year been in reducing the number of migrants attempting to cross the channel in small boats?

**Dan O’Mahoney:** With our approach to small boats, it is really important that our primary objective is to save lives. Our secondary objective is to secure the border. We do that both in the immediate operational sense on a day-to-day basis with the French and on the channel, and we do that strategically over a really long period of time, because the problem is very, very complex and it involves policy change, operational delivery, communications, international co-operation and so on.

What we have been doing with France is very visible, and there is a great deal of interest in it. We have described already the impact of that in terms of making it much more difficult for the organised crime gangs to operate and much more difficult for people to cross the channel at will. As I said, it needs to be seen as a brick in that wall. I encourage you to think about the counterfactual. If the French were not stopping around 50% of those crossings, we would be seeing in excess of 2,000 people a day arriving in the UK on small boats. It would be completely unmanageable. There would be people dying in the channel, and a system that is already overwhelmed would be at breaking point.

Q82 **Ms Abbott:** Just to be clear, the agreement reached with France last year has not actually reduced the number of migrants coming across in small boats.

**Dan O’Mahoney:** Well, as I say, it needs to be seen in the wider context.

Q83 **Ms Abbott:** I am not talking about the counterfactual. I am just asking you for a fact. To be clear, the joint agreement reached with France last year has not actually reduced the number of migrants coming across in small boats.



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**Dan O'Mahoney:** No, but it is part of a wider and much longer-term plan.

**Ms Abbott:** That is all I wanted to know, because it was presented to the House as a measure that would reduce the number of migrants.

Q84 **Chair:** Before I go to Simon Fell, could you confirm the cost of hotels, Mr O'Mahoney? The last time you were in front of us, you told us that it was £5 million per day. Is that right?

**Dan O'Mahoney:** Yes.

Q85 **Chair:** Obviously, you are increasing the use of hotels, so what is the cost now?

**Abi Tierney:** It is £5.6 million per day.

Q86 **Chair:** And it is likely to go up.

**Abi Tierney:** Yes. That is just asylum seekers. That does not include the hotels that are also being used for people we have brought over from Afghanistan.

Q87 **Chair:** And how much is that?

**Abi Tierney:** That is an additional £1.2 million per day.

Q88 **Simon Fell:** I want to follow up on that before going back to bilateral agreements. I have a hotel in my constituency that is being used for asylum accommodation. I love my constituency dearly, but it is hard to describe it as easy to get to. We certainly do not have good public transport links. We certainly have no communities that reflect the people who are staying in this hotel. For instance, there are no local prayer facilities. There is little ability for people to integrate into the community. Can you write to the Committee and share the criteria that you try to apply when you are looking at these hotels and where they are being sited? I cannot see a logic to it.

**Abi Tierney:** *indicated assent.*

Q89 **Simon Fell:** Let us go back to the subject of bilateral agreements. We obviously missed the France-UK bilateral earlier this year. President Macron and our former Prime Minister agreed that they were going to meet next year for a summit to discuss, among other things, channel crossings and what they can do to work more closely on that. I realise that this is probably a question more for Ministers than for you, but can you outline what some of the aims might be there? What would deeper integration between France and the UK look like?

**Dan O'Mahoney:** In terms of the political level, that is of course for Ministers, but what I can say is that the co-operation between France and the UK is certainly the best that it has been in the just over two years that I have been in this role. My operational experts go over to meet their opposite numbers in Lille every week. They have a joint operational meeting there where our predictive analysis and assessment products are used to influence the deployment of French resources on the ground. We



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are working through the current agreement, and we are working on the future agreement, which we will be putting to Ministers and the Prime Minister over the coming days.

- Q90 **Simon Fell:** Thank you. What would deeper integration look like? Again, I recognise that there is a political element to this that you will not be able to comment on. If you could work more closely with the French, what would that actually look like in practice?

**Dan O'Mahoney:** For me, the areas we are investing in are having more officers on the ground, better surveillance technology to identify where the crossings are happening, and deeper integration in terms of intelligence co-operation. Of those three, I think the second two are in a really good place. I do not think we could hope for much more at this stage. What is really clear to us is that there just are not enough French officers deployed at the moment. That is our focus at the moment: trying to drive those numbers up.

- Q91 **Simon Fell:** Thank you. I have a related question. I read an interview with the Prime Minister of Albania recently and he was talking about the drive he has been pushing in his own country to push down corruption. When questioned on migrant flows coming through Europe, he was curious as to where those numbers were coming from because he was not seeing the corresponding dip in numbers in his own country. He was wondering whether it was the diaspora in other European nations that was driving this. Do you have any thoughts on that? Is it Albanian nationals, who are based in Albania, who are making these journeys, or are they from the countries that surround Albania?

**Dan O'Mahoney:** I think it is a mixture. I know from our intelligence that there certainly are flights going out of Albania and into Belgium, with the express purpose of the people getting off those flights and going straight to the north of France to get in a small boat. There is definitely a proportion of them coming directly from Albania; there may be people from a diaspora community in Europe that are choosing to make the journey as well, but I can certainly tell you that, among those people that are arriving in small boats, there are people who have left Albania a matter of a couple of days before.

- Q92 **Simon Fell:** Thank you. I have just one final point on that, which will follow up on Tim Loughton's question earlier. We were talking about the repatriation flights. Do you make efforts to log who is going on those flights? I am essentially asking: are we seeing the same people making journeys on small boats into the UK, being repatriated—which is paid for by us—and then doing the same thing again and again and again?

**Dan O'Mahoney:** One of the additional measures that we, with the co-operation of the Albanians, are putting in place at the moment—you may have read about it in recent weeks—is the data exchange between the UK and Albania. We will be sharing the data of those arriving in small boats with the Albanian police in Tirana. It is illegal for people in Albania to enter another country illegally, so there will be a record of that in Albania and we hope that will support our argument for removal.



Q93 **Simon Fell:** That was not quite a yes or a no.

**Dan O'Mahoney:** In the past it has been very difficult to do that, but the data exchange we are doing, which will be based both on documents and biometric data, will make it a lot easier to identify whether there are people who have entered the country more than once.

**Dan Hobbs:** Yes, we collect biometrics and biographic details of everyone who arrives, whether they arrive in a small boat, are found to be here illegally or are a foreign national offender. If they reappear in our system, we will know that they have been subject to a forced or voluntary removal in the past. I do not have the numbers on how many we see reappearing, but yes, our data and systems will collect and retain biometric and biographic details on the individuals we have encountered.

Q94 **Simon Fell:** So now that we have this agreement in place, we should be able to monitor that.

**Chair:** You are saying yes to that, Mr Hobbs?

**Dan Hobbs:** It is not just the agreement; we always collect biometric and biographic data. Going back to Mr McDonald's question, one point when we might prosecute someone is when they have been previously subject to removal action and sought to re-enter the UK illegally.

**Chair:** The problem is that we have so many questions about this. Members are very exercised by what is going on. I will take a question from Carolyn, and then I will come to James. I am keen to conclude just after 11 o'clock, because we have the chief inspector with us as well.

Q95 **Carolyn Harris:** I have a brief question to follow up on Simon's. Are Albanian returnees financially incentivised to return to Albania?

**Dan Hobbs:** I do not have the data here. We do have assisted voluntary return packages available to individuals. It will be down to individual cases. Some will be enforced returns. We would have to write to you on how many Albanians have undertaken assisted voluntary return.

**Chair:** Please do that. James Daly?

Q96 **James Daly:** How much will the Home Office and the UK Government as a whole spend on patrolling the channel in this financial year? As a comparison, what was it in 2018?

**Dan O'Mahoney:** The first thing to say is that our operations in the channel are a whole-of-Government response, and they are quite complex. There are four things we are trying to achieve on the water. The first is to find, fix and track migrant vessels. That is very complex in an area about twice the size of Greater London. The second is the safety of life at sea element, so actually rescuing the migrant boats. If we didn't do that, in the vast majority of them, everyone would end up in the water, as happened just a couple of days ago. That is overseen by the coastguard but delivered by boats that are operated by the Home Office. Thirdly, we



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gather evidence for intelligence and prosecutions. Fourthly, we stop uncontrolled landings on beaches.

Q97 **James Daly:** How much does that cost?

**Dan O'Mahoney:** The money that has been provided to the Ministry of Defence under Operation Isotrope, in which the MOD has primacy, is £50 million. There are other costs over and above that relating to Border Force and immigration enforcement, which are quite difficult to calculate, because we do not use 100% of an officer's time; they surge in and out of the operation.

Q98 **James Daly:** I appreciate the point you are making, but we have just heard of some huge sums—£5.6 million per day—for hotels and various other things. I don't think it is too much to ask—I'm sorry to be exercised on this point—that the Government have a figure for how much they are spending to try to control this problem at source, as it is happening. I'll repeat the question to Mr Hobbs and Ms Tierney: how much are the UK Government spending on patrolling the channel in this financial year?

**Dan O'Mahoney:** The answer to your question about patrolling the channel is £50 million.

Q99 **James Daly:** Right, okay. To develop that further, what impact has the Royal Navy's co-ordination and monitoring role had on preventing migrant crossings since April 2022?

**Dan O'Mahoney:** Of those objectives, the primary one is to save lives. There has been no loss of life in UK territorial waters over the last two years. As that is our key objective, we are extremely proud of that. We are working with the Royal Navy and wider military on that. The second objective in the channel is to control the environment and stop uncontrolled landings. Last year at about this time, we were at about 5% of boats crossing and landing in an uncontrolled fashion. This year, there have only been six boats out of 936 boats that crossed the channel and were not fully controlled. By that, I mean we either intercept them on the water or we meet them on the beaches as they arrive. That is 0.5% of the overall number of arrivals. Given our operational objectives on the Channel, I see that as being very successful. The Royal Navy and the wider military have played an absolutely critical role in strengthening our response there.

Q100 **James Daly:** I very much welcome that, but in basic terms, I think my constituents would simply ask the question that I asked. The Royal Navy had a role, or we thought it did, in preventing migrant crossings. Is that a misunderstanding? Is its role to address the point that you are talking about, rather than to reduce numbers?

**Dan O'Mahoney:** The role of the Royal Navy in our operations on the channel has never been to prevent crossings. We are fully aware that the most effective place to do that is further upstream. The two objectives that I have just described are the objectives for Operation Isotrope and, as I say, we are very proud of what we have achieved in that operation.



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Q101 **James Daly:** Is Operation Isotrope coming to an end still in January 2023? Is that the plan?

**Dan O'Mahoney:** There is a review point in January 2023, and it will be for Ministers to decide whether it continues in its current form.

Q102 **James Daly:** Mr Hobbs and Ms Tierney, you have to plan now for that, I assume. How is the Home Office preparing for withdrawal of that support, if it is indeed withdrawn?

**Dan O'Mahoney:** I think it would probably be better if I take that question. We are planning for a number of scenarios that might involve the continuation of Operation Isotrope in its current form. It may be a hybrid model, where some military support remains, or it may be a complete hand-back to the Home Office. We are planning hand in glove with the military for those three scenarios, and it will be for Ministers to decide which one we go for.

Q103 **James Daly:** I have a final question. You gave a £50 million figure. What new assets have been procured with the £50 million that has been spent?

**Dan O'Mahoney:** We have a number of assets on and above the channel, most of which are owned by the Home Office. We have five crew transfer vessels, which we procured this year and which are much more fit for purpose than the Border Force vessels that we have been using. We have two short-duration drones, which are operating—one larger, one slightly smaller. We now also have a network of land-based surveillance towers, which form part of our response. Those are the primary new assets that we have procured. The Royal Navy also deploys an offshore patrol vessel, a number of P2000 smaller patrol vessels, and a Wildcat helicopter in support of the operation.

**Chair:** Thank you. I will go to Paula Barker and Diane Abbott just before we finish.

Q104 **Paula Barker:** I would like to look at the ICIBI report findings. They state that the Home Office asylum “work in progress” case load stands at 166,085, which is nearly double the figure in June 2020. What improvements have been implemented since the inspection?

**Abi Tierney:** We are now at 1,073 decision makers; that number has increased significantly. It was up by 584. We have also implemented a recruitment and retention allowance, because one of the challenges that we were having was a very high turnover of staff. We have seen our attrition rate drop by 31%, which is a good thing.

We have also done restructuring: we have split the two asylum decision-making teams between what we call legacy work in progress and flow work in progress, which means that people are really able to focus. That is demonstrating some efficiencies.

We have been running a pilot in Leeds that looks at the time it takes to undertake interviews, and we saw in that pilot that our interview times have reduced by 37%, and that our decision making at the same site has



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doubled per decision maker per week. We are now rolling out that approach in Liverpool. The aim is that by May 2023, that simplified and more efficient decision-making approach will be applied right the way across the decision-making community.

Then the other piece is looking at the technology. We are rolling out Atlas, which is a casework technology system, and looking at the whole experience for the service users. I think you used the word “chaotic” to describe the experience of some users in Manchester. We are looking at enabling them to access their case more easily online and book interviews—things like that. We are looking at that side of the system, too.

Q105 **Paula Barker:** How effective do you think a dedicated Home Office case clearance unit would be in reducing the numbers?

**Abi Tierney:** Could you explain what you mean?

**Paula Barker:** If you had a dedicated service that was just dealing with the case handling, how effective would that be?

**Abi Tierney:** That is what we have already; they are dedicated to asylum casework—nothing else.

Q106 **Paula Barker:** Right, okay. When do you plan to conduct another inspection?

**Abi Tierney:** You would need to ask the chief inspector his plans for the next inspection, on the decision-making side of the process. Dan O’Mahoney was saying how helpful it was to have the visit to Manston. If the Committee would like to visit our caseworking teams, and see some of the work and the improvements, I would be very glad to host that.

Q107 **Chair:** You mentioned the attrition rate reducing. What is the rate of turnover for decision makers?

**Abi Tierney:** We have reduced the attrition rate by 31%. I would have to confirm what exactly the rate is. I will confirm that in writing, if I may.

Q108 **Chair:** That’s been a big problem, hasn’t it?

**Abi Tierney:** It has been a really big problem.

**Chair:** Diane, you had a quick question.

**Ms Abbott:** Ms Barker put the question on asylum decision making that I wanted to ask.

**Chair:** Okay. Thank you very much for coming along today. As you can see, we are very engaged on this issue. We look forward to seeing the Minister in due course and asking him some questions. Thank you for your time today.

### Examination of witness

Witness: David Neal.



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Q109 **Chair:** Welcome, Mr Neal. We are very pleased to see you again. You are the independent chief inspector of borders and immigration. You were sitting at the back of the room for the previous session. You will have heard that the Committee remains very concerned about the channel crossings. When you last came before us, we were interested to know about your interaction with the Home Office. You have a very important role to play. We asked you at the time whether you had been able to meet the Home Secretary to discuss the concerns that we have been talking about today. Since you last came before us earlier this year, have you met any of the Home Secretaries? Clearly, we have had a few since then.

**David Neal:** No, I have not.

Q110 **Chair:** So you still haven't had that opportunity to express your concerns directly. One of your other concerns was about your reports—important reports that would assist the Home Office in making policy and looking at what was happening operationally. Do you feel that the Home Office has sped up the way it deals with your reports, and has taken forward your reports in a better, quicker way?

**David Neal:** Not yet, no, Chair. Twenty-one reports have been submitted during my tenure. Only one of them has been published within the agreed eight-week time.

**Chair:** On both counts, that is very disappointing for the Committee to hear. We recognise that you have a very important job to do. I will go straight to Stuart McDonald on our concerns about the Manston site.

Q111 **Stuart C. McDonald:** Thank you, Chair, and thanks for coming back, Mr Neal. You will obviously have heard some of the concerns that have been passed to us, some of which are now in the public domain. Have you had discussions with stakeholders? Have you had reports about—to put it mildly—a deterioration in conditions at Manston, a very significant one at that?

**David Neal:** I have, and I visited Manston on Monday.

Q112 **Stuart C. McDonald:** We have heard about outbreaks of illness, the place being significantly over capacity, and tensions and outbreaks of violence. Are those the sort of things that have been fed back to you?

**David Neal:** The reason for my visit on Monday was that we had been picking up lots of noise about Manston from a variety of sources. As I visited on Monday, I can perhaps add some clarity to what Dan O'Mahoney said. I can give you the data with which I was briefed on Monday. It was a visit, not an inspection, so these are just the figures given to me by the senior official who hosted us.

When I was there on Monday, there were 2,800 detainees in Manston. There were 190 at Western Jet Foil—I did not visit there—and there were 24 on route between Western Jet Foil and Manston. The outflow figures, which I think are critical in terms of the size of the site, showed that on Monday, one person had gone out of the facility. In the previous 24 hours,



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78 had gone out of the facility. The average outflow was 137. The best outflow that they had in a day was 300.

What is really concerning and alarming is that the numbers as described are clearly outstripping the capacity of the site. In the facilities that you will have seen earlier in the year, and that I saw when I visited in April, Mitie care and custody officers—detainee custody officers—were supervising detainees close to where the fire station and integration was. The capacity has now outstripped those detainee custody officers, so there are nearly 2,500 people being guarded by untrained detainee custody officers. They are being guarded by a mixture of immigration enforcement officers and security guards. It was so alarming that when I discovered that, I was speechless, and I am not normally speechless. I immediately arranged to speak to His Majesty's Inspectorate of Prisons, which I did, and I wrote to the Home Secretary on Monday night to alert him to the situation.

**Q113 Stuart C. McDonald:** Thank you. That is obviously very alarming indeed. With the last panel, we focused on physical capacity as opposed to staffing ratios and so on, and that is clearly a significant point. Do you have any idea how this situation has arisen? When we visited in June, as a short-term holding facility, it looked okay—not fantastic, but it looked set up to do the job. It is not as if the Home Office has been taken by surprise by the numbers coming in. Did they explain to you what has been happening to try to alleviate the problems with staffing and capacity? Was there an action plan of any sort available?

**David Neal:** It was a visit rather than an inspection, so I do not necessarily have that detail. It is as stark as this: they cannot move the detainees on—so they are detainees—so they are bunging up the site. There were proposals. I spoke to Lieutenant General Skeates, whom the Home Office has brought in to examine this area. There were proposals for making the site a mixed site, with non-detained accommodation as well as detained accommodation. There were plans to install new types of units in which detainees would be housed—actually, they would not be detainees then; they would be bailed.

In terms of the figures, it is particularly difficult. I spoke to three families while I was there; I know the Committee is interested in families who are in detention. I spoke to an Afghan family who had been in a marquee for 32 days. That is in probably the same type of marquee that you saw in the summer, with kit mats on the floor and blankets, for 32 days. I spoke to an Iraqi family who had been in hardened accommodation—in buildings—and had been there for two weeks, and a Syrian family who had been there for two weeks as well, and the mother was terribly distressed because she didn't know where they were going. So these are pretty wretched conditions.

**Q114 Stuart C. McDonald:** Have you also had it confirmed that there are outbreaks of diphtheria and that there have been cases of scabies, for example, in the population? Have you been provided with any information about how the Home Office have attempted to deal with these issues?



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**David Neal:** I understand from the Home Office brief that there have been four cases of diphtheria over the last two months, in a population that have passed through of 11,000. The medical facilities have improved since you were there, I suspect, and certainly since I was there in April. A doctor—for the first time a full-time dedicated doctor on site—started work on Monday, and the first thing he proposed was building a ward. I think it was a five-bed ward that they were going to propose to build as well. In that sense, that was a positive: the medical facilities had improved.

Q115 **Stuart C. McDonald:** I agree that is a positive, but is it not overdue? One doctor turned up on Monday; the horse has bolted, really. Is there not a sense in which some of this should have been in place ages ago? Again, just generally speaking, the numbers can't have surprised the Home Office. I appreciate they now have issues with the outflow, but doesn't it speak to just a lack of planning and not responding until disaster has already struck?

**David Neal:** It does. I wouldn't say "disaster" yet, but I would say that what we have seen is a creeping lack of ambition from the Home Office, moving from Tug Haven as was, which was a jumble of tents on the side of the quay, through Western Jet Foil, whose capacity was soon outstripped, and into Manston. You are right on the numbers. Looking back, when I was last there in April, the Home Office were predicting between 45,000 and 48,000, I think, coming in; the press were saying 65,000. But even on those numbers, there is always a need for greater capacity. My view would be you plan for the worst and hope for the best. I think that attitude is absolutely critical if we are going to deal with the consequences of people being detained in a safe and humane manner.

Q116 **Stuart C. McDonald:** You have spoken about the staff-to-detainee ratios and the types of training the different staff have; can I also ask you about organisation and seniority? There have been some complaints—I am just reading this in the press—from staff working there that there seems to be very bitty organisation or there are different Government organisations involved. They include the MOD, obviously, as well as the Home Office. Is that a cause for concern that you had picked up on? Are there sufficiently senior staff and is there proper leadership on the site?

**David Neal:** It is a point we made in the report that we did on small boats earlier in the year. Yes, it is a concern, because you need tight command and control just if you're going to deal with the mass of people who are there. You need a dedicated commandant—you need a senior responsible officer responsible for what goes on there. They have now got one, but they didn't have one in April. There was confusion. One of the questions I identified was that they needed to identify a commandant and who that commandant is answering to—who they are responsible to—within the Department. I think that is absolutely key: leadership to address the issue as is, not the issue as hoped for, is an enormous problem for the Home Office. There is an operational issue going on today on the ground that needs to be addressed by senior officials.

Q117 **Stuart C. McDonald:** What, then, will be your involvement in Manston,



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going forward? Do you have plans for reinspection? Or is that under consideration?

**David Neal:** We have in our programme a small boats 2 inspection—a second inspection that would cover this area. We have yet to determine whether we inspect before or after Christmas. With this being a short-term holding facility, the detention aspect will be covered by Charlie Taylor, His Majesty’s inspector of prisons. We sent staff accompanying Charlie’s team in July—they reported on this in July—in advance of the numbers increasing, for sure. We have yet to determine when we will go, but I have alerted Charlie to the latest concerns so that he can make a decision as to whether they return to inspect.

Q118 **Chair:** Can I ask you the same question I asked the previous panel? The numbers in November last year were high. We are at 2,800 as of Monday. If the numbers continue to rise and the outflow is considerably smaller than the numbers coming in, at what point does this cease to be a place that is safe and can be run properly?

**David Neal:** I think we have passed that point.

**Chair:** We have passed that point already.

**David Neal:** Nearly 2,500 people not guarded by appropriately trained people is an extraordinary number. No prison in the country is that big. Harmondsworth detention centre capacity might be 600 or 700; to have 2,500 people is a big issue.

**Chair:** Okay. Thank you.

Q119 **Paula Barker:** It is nice to see you again, Mr Neal. Thank you for coming back. You talked about the Afghan family who were in Manston for 32 days and the Iraqi and Syrian families who have been there for two weeks. When we visited Manston, I recall seeing soft drinks and snacks, but not cooking facilities. How are the families being fed?

**David Neal:** I stress that it was a visit rather than an inspection—that is the sort of detail we would cover in an inspection—but I think they are being fed in a temporary way. I was briefed that the cookhouse is being brought online so that they can cook hot food properly. One of the problems raised with me was the dietary considerations, because now people are in detention significantly in excess of a limited period. Burger and chips might be okay for one day, but it is not okay for 32 days, particularly for families and when you take into account cultural differences and different diets. Again, that is an issue that should have been planned many months ago, rather than planned on the hoof, as it is at the moment.

Q120 **Paula Barker:** Acknowledging that it was not an inspection, but a visit, you just said that the cookhouse is going to come online, but when will that be? Also, acknowledging cultural differences and dietary requirements, would you say that cultural differences as a statutory requirement have not been taken into consideration up to now?



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**David Neal:** I'm sorry, I cannot tell you whether they have or not. I can tell you from previous experience about the importance of hot food in terms of communal living. If people are staying there beyond just a few hours, that is a central plank of being able to take care of people.

Q121 **Paula Barker:** Do you have a date for when that cookhouse is coming online?

**David Neal:** No, I'm sorry, I don't.

Q122 **Paula Barker:** In terms of the families, what age were the children, or what was the range?

**David Neal:** Young. However young that is—

**Paula Barker:** Under-five?

**David Neal:** I did not make a note. I cannot tell you—but young.

Q123 **Paula Barker:** Okay. Looking at the asylum casework backlog, do you plan to conduct another inspection and, if so, when?

**David Neal:** Yes. It is not in next year's programme. I have done quite a few visits in this area. I was up in Scotland earlier in the summer and up in Leeds a few weeks ago—Leeds was the casework team that Abi Tierney described. It is a trial called the Prioritising Asylum Customer Experience team, or the PACE team. It was really impressive, I have to say. They had some positive initiatives to reduce casework numbers and to increase decision making.

Some of the stats: at the moment, each decision maker is making 1.3 decisions; the trial that took place in Leeds increased that to 2.7 per decision maker; and the aim is a target of four cases decided per week per decision maker. On recruitment, the figures I have are slightly different: 1,090 decision makers at the moment, with 139 coming online in November—

**Chair:** Sorry, will you say those figures again?

**David Neal:** There are 1,090 at the moment, with 139 adding to that in October and 101 in November—quite a body of decision makers. You will recall from our "An inspection of asylum casework" report, which was published last year, that the people line of decision makers was particularly fragile: the stability of managers; the ability of decision makers to become effective, because they are not effective on day one; the training programme; the retention programme described by Abi Tierney, which is something we picked up on in the report; and just the leadership within the Department to get this thing working.

It is perfectly sensible to have some form of target—you will recall that the casework standard has still not been reintroduced, despite that recommendation being accepted by the Department—but how fast the numbers over 100,000 will come down is a significant issue. I have seen some really good examples of leadership within the civil service in relation



to those departments. I intend to visit the one in Liverpool to get a better feel.

This is fragile and it needs really good, strong leadership to ensure that people can get the decisions down and maintain the quality of decisions, as we are talking not just about quick decisions but about appropriate decisions. Interestingly, when I questioned the team, one of the areas that was neglected was the longer-term consequences. Fine, you drive down to four decisions per decision maker per week, but if those are poor decisions, they will be challenged at the right-hand end in the court, at the tribunal—"Had any particular consideration been given to that?" I think there is more work to be done in that regard.

Q124 **Paula Barker:** Have you made those recommendations?

**David Neal:** We have not inspected yet. We will very likely—

Q125 **Paula Barker:** But you have been to Leeds. Did you then?

**David Neal:** Yes, of course. I briefed Emma Haddad—the director general, who was previously involved in this area—and the senior staff on my observations. From that, we will more than likely be looking at asylum casework again in next year's programme, but we have not yet made a decision on whether we will do that.

Q126 **James Daly:** I will ask a question for clarity and the public record. The clue is in the title, but what does a decision maker do on a daily basis? I understand what their job is, but what is their role?

**David Neal:** Their role is to gather evidence, conduct interviews and prepare casefiles, and then that casefile will be presented for the decision to be made. That decision can then be appealed and challenged. That is why the quality of decisions is important. That means telephone interviews and face-to-face Zoom interviews, and understanding the complex legislation in relation to a claim, putting it together in a file and making a decision on the application.

Q127 **James Daly:** Just to explain then, I have here the figure of 2.7 decisions per decision maker per week, but do I understand correctly that that has now gone up to four cases per week in Leeds?

**David Neal:** Correct.

Q128 **James Daly:** One of the frustrations is that we have to tackle the backlog somehow, and that seems—maybe I am being unfair—a remarkably low figure in terms of efficiency. I appreciate that you have to make good decisions and all the rest of it, but to get through the backlog, do we need many more decision makers, who I am sure make correct and professional decisions? Or do the people there need to make a lot more decisions in a more efficient way?

**David Neal:** You will have to ask the Home Office. I do not run them; I observe them. It does seem low, but it is really important that good decisions are made, and that is complex. Abi talked about the stock and



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flow models—the pre-28 June and post-28 June models—and maybe they will assist them in making quicker decisions.

**Q129 James Daly:** You referred to Leeds; is that the only pilot that you, as the inspector, have seen as a model of new working practice to address the backlog? Have you not been pointed towards anything else?

**David Neal:** Leeds is the pilot, so it will grow out of Leeds. There are something like eight other locations that it will grow into. I cannot recall whether I have been briefed on other models. How will we bring it down? PACE is the answer; Leeds is the trial.

**Q130 Chair:** It was quite clear from our report this summer that one of our recommendations was for the Government to get a handle on and deal with the backlog, because doing so would free up resources—people and money—to deal with the other problems in the immigration system. The Government have said that their priority is really to stop people coming in illegally in the first place—that is their prime focus. It is good to hear about these pilots, but I am still concerned that they are drop in the ocean. Perhaps you cannot comment, but that is my observation of the Government's thinking on this.

**David Neal:** Chair, as I said, next year we will inspect in this area. The last time we did an inspection in this area, it took a long time. It took a long time to release the report as well, but it took a long time to do. It is complex to get the evidence base, and it absorbs a lot of people. It is not a quick thing to have the evidence base to report, but when we have done, I will be able to inform the Committee.

**Chair:** Thank you.

**Q131 Ms Abbott:** You may have touched on this, but we understood that the Home Office accepted all your recommendations on small boat crossings. What progress has the Home Office made to date in implementing those recommendations? How is it keeping you informed of the programme?

**David Neal:** They did. First of all, on the timelines, you will recall that when I was last here we had not published the report because the report was awaiting publication. We conducted our inspection in January, although the evidence base is from before Christmas as well, and I went to brief Minister Pursglove on 14 February to inform him of some of the concerns we had from this inspection. The report itself was only published just before Parliament retired for the summer on 21 July, and only then at the prompting of producing a press release that said that we really needed to get on with releasing this report.

In that context, it was a five-month delay to respond and say that the Department was actioning the recommendations that were made, and that is on the basis of the Department having said, "There is nothing to disagree with in the report that you've written. The recommendations were spot on. We'll accept and close." It reported one of them, and there is a whole series of others that are ongoing. That was unsatisfactory, so we found out where they were in July, when the report was published on



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the web, and then I got requested for a briefing last Friday to hear an update on where the recommendations are.

I can see where you are coming from in terms of our effectiveness and getting things done. Had I the power to publish my own reports, we could have published the report on 14 or 15 February, and then we would have been in a different position. It would not have been historical because, frankly, the Government's response was effectively, "There's nothing to see here. We've now moved on to a two-site solution and there is nothing to see with your recommendations," which is difficult.

**Q132 Ms Abbott:** You mentioned the parliamentary summer recess. The parliamentary recess does not affect the workings of Government Departments. This is slightly complex, but are you able to do us a note on the extent to which the Government has responded to your recommendations?

**David Neal:** Yes, of course I can. We can give you the data. We collect the data all the time. Would you like me to give you a feel for where we are? Maybe it would be better to write it in a note.

**Ms Abbott:** Yes, that would be better.

**Q133 Tim Loughton:** Mr Neal, have you been given any credible reason why you have not been able to meet the Home Secretary in all your time in office?

**David Neal:** No, I have not.

**Q134 Tim Loughton:** Have they just ignored your request, or have they written back to say, "Sorry, we're a bit busy"?

**David Neal:** I have made my requests every time I have spoken to a Minister and every time I have spoken to senior officials. The Department are absolutely aware of that. I have written a couple of letters to the Home Secretary in addition to the one that we wrote this week, informing her of my work and giving her updates, as you would expect. I have stopped doing that. I got the impression that she did not want to see me.

**Chair:** Sorry, is that the previous Home Secretary?

**David Neal:** The previous Home Secretary.

**Q135 Tim Loughton:** So you didn't even get an acknowledgment of your letters?

**David Neal:** I'd have to check.

**Q136 Tim Loughton:** How many times have you met the Immigration Minister?

**David Neal:** I last met Minister Foster, as was, in June. I met Minister Pursglove in April. I said the last time I was here that I had reasonably good access to Ministers, and I am entirely happy that I have access to Ministers. Ironically, as part of the schedule, I should have been meeting Minister Pursglove this morning.



**Tim Loughton:** As were we.

**Chair:** That's interesting.

Q137 **Tim Loughton:** You sat in on the earlier sittings. You were probably aware that 96% of claims from 2021 have yet to be processed. That didn't surprise you at all, did it?

**David Neal:** I wasn't familiar with the numbers but no, it did not surprise me. We are not actually inspecting in that area, but it did not surprise me.

Q138 **Tim Loughton:** At that sort of rate of progress and presuming, as was indicated, that the 4% they have taken is the relatively low-hanging fruit—the vulnerable families who probably have a better claim—it is never going to get cleared, is it?

**David Neal:** Not at that rate, no.

Q139 **Tim Loughton:** It would need a very substantial increase in the productivity of those caseworkers, or a doubling, tripling or quadrupling of the number of competent caseworkers, to stand any chance of getting through that backlog in any reasonable time in the foreseeable future. Would that be your estimate?

**David Neal:** I would agree with your logic, yes. It is certainly going to take some time to do that. I don't know the maths, but if people continue to come in and claims continue, the backlog will increase. Over 1,000 is a lot, so it will take a long time.

Q140 **Tim Loughton:** Do you think the system is out of control?

**David Neal:** I think the Department have done some good work with the PACE team, and there is a good trial going on to address it. I am not sure that it is out of control, but the numbers are certainly enormous.

Q141 **Tim Loughton:** Will getting that 1.2 per caseworker effectively doubled—the aim is to get it to four, which still, as Mr Daly said, seems on the fairly low side—compromise the quality of the investigation that is happening, which then inevitably will make appeals and further processes more likely?

**David Neal:** There is a real danger of that. That was the point that I tried to make earlier about questioning the team who were doing their work—whether they paid sufficient attention to the right-hand end of the process and whether the drive for better productivity was compromising quality. That is one of the things that we picked up in our last asylum casework report. It is one of the things that we would look at when and if we go back next year, because there's the rub. There is absolutely no point raising your productivity if it creates further problems further down the line. Actually, those problems mean that decisions are not made, so the limbo for asylum seekers continues—the uncertainty in terms of access to jobs, employment and things like that. The vast majority of individuals I speak to just want to get on with their lives.

Q142 **Tim Loughton:** Do you sense that the calibre of the new caseworkers



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being brought in is sufficient? Is the amount of training that they are given before they can make proper decisions sufficient, or has it been curtailed in order to get them processed as soon as possible?

**David Neal:** I don't know. What I saw in Leeds was encouraging. I saw some good leaders and some good management. I think they are aware of the issues: the stability of managers, remuneration for managers. Good morale in those organisations will be really important if they are to keep people, induct them properly, properly educate them, properly train them and get them up to speed in order that they can achieve those numbers. That will be a chapter heading, I am sure, in the report. You are absolutely right to identify that as a key issue.

Q143 **James Daly:** I may be missing the point, but where we are at the moment—one point something decision made per week—is not productivity in any way, shape or form, is it? It is an extraordinary state that we've got to. The central question of the quality of decision making will be on an individual basis, but I would like to know the number of decision makers we need to make a difference. I don't know if that is part of your role, but do you have an idea of the numbers? The Government may say that they want the aspiration of 1,000. Do we need 10,000? What is the number?

**David Neal:** I don't know. I cannot tell you that. We will certainly look at that, because it is the physics of it, isn't it? Given the number of cases, how long will it take? This is what the consultancy firm came out with. But there is a way out. There is at least a plan, and it will probably be that plan that we continue to inspect. They are huge numbers, and there is nothing quick about it. I agree that it seems incredibly low.

Q144 **Stuart C. McDonald:** Briefly, I want to put to you the point that I put to the previous panel about the possibility of some sort of triage of cases. I appreciate the point that was made that there are lots of asylum claims that are difficult and complicated, and which need lots of investigation and consideration, but there are others. For example, I remember from my dim and distant past that if you had a North Korean case you essentially just established their nationality, and that they had come from North Korea, and that was about that. You did not really need to go into the nuts and bolts of it all.

There are 15,000 or 16,000 Afghans and Syrians in the asylum system, and half of them have waited over six months. Is there not a case for trying to work through them much more quickly because you can, and because essentially if you establish that you are Syrian or Afghan, with very simple checks around that, you could get these cases done very quickly and free up some capacity? Have you a view on that at all?

**David Neal:** I suspect that that is part of the solution. That would be the common-sense solution. I suspect that there are policy issues that we are not expecting in terms of the decision to do that. There is a natural unfairness if you happen to be in the second group—if you happen to be in the stock and you happen to be three years in—and the proposal is to deal



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expeditiously with the more recent cases, and you still keep dropping down the list. I am sure that that is what they are grappling with.

Q145 **Stuart C. McDonald:** I appreciate that there are arguments both ways, but I think it is something that even the UNHCR has spoken about.

**David Neal:** I think you are right. I think NGOs talked earlier about how that was a method of doing it. These are conversations that I would imagine the Home Office is having, and there will be a policy decision to be made about it in order to speed it up.

Q146 **Chair:** I think the last time you were before us I asked what kept you awake at night, and you said that you slept very well. I wondered in terms of now, and the discussion and questions that we just had about Manston in particular, whether there is anything that is keeping you awake at night in relation to your role.

**David Neal:** I was very concerned about Manston when I visited on Monday—as concerned, perhaps, as I have been about anything over recent years. It is a really dangerous situation. It is failing to address vulnerability. It is not something that I have any frame of reference to understand in terms of detention. I have been involved in detention a lot. There are risks there in terms of fire, in terms of disorder, and medically in terms of infection. I have seen in the press talk that there could be disorder. Whether there is or not, if 2,500 people are not properly supervised there will be disorder, because someone will get out of their tent in the night and step on someone next to them by mistake. Then there will be a fight and that will escalate. It is absolutely inevitable in any form of detention setting that those sorts of things occur.

Does it keep me awake at night? I think it is extremely concerning. On the positive side, having seen General Skeates there on Monday, the Home Office has taken steps to address my concern, which I mentioned to the Committee earlier, about leadership. They have brought in a leader who is capable. I have been with him on operations in the past. He is a very capable and very senior individual, and I think he will grip it. It is two years down the line, and probably too late though.

Q147 **Chair:** When was he appointed to that role?

**David Neal:** I understand that he was appointed on 12 October.

**Chair:** I am trying to work out which Home Secretary was in post on 12 October. *[Interruption.]* Thank you very much—the Clerk tells me it was Suella Braverman, so it was the current one. We are just getting to grips with the changes that we have had over recent months.

Thank you again for coming before the Committee. Your evidence is very helpful to us. I think Manston is a big concern to all members of the Committee, and we will decide what action we need to take in the light of the evidence that you have given this morning. Thank you very much for your time. We look forward to hearing from you in the future, and we will certainly ask the Home Secretary, when we have her in front of us in November, when she plans to meet with you, because we think that that is



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quite important too.