

## Home Affairs Committee

### Oral evidence: One-off session with the former Inspector of Borders and Immigration, HC 596

Tuesday 27 February 2024

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Members present: Dame Diana Johnson (Chair); Diane Abbott; Lee Anderson; James Daly; Kim Johnson; Marco Longhi; Tim Loughton; Alison Thewliss.

Questions 1 - 92

#### Witness

I: David Neal, former Independent Chief Inspector of Borders and Immigration.

Written evidence from witnesses:



## Examination of witness

Witness: David Neal.

**Q1 Chair:** Good afternoon. Welcome to the Home Affairs Select Committee. I welcome David Neal, the former chief inspector of borders and immigration, to the Committee this afternoon. We are very grateful for your attendance at quite short notice. I think you were last before us in November, and we are slightly surprised that we are seeing you quite so quickly, but we are very pleased that you are here with us this afternoon.

The purpose of the session is to understand what has happened in the last few weeks and to hear your reflections on your time as the chief inspector. We have always been grateful for your candour with the Committee and your willingness to spend time explaining what is happening in your inspections. I thought it might be helpful, although you may feel limited in what you can say, if you would start by setting out your reflections on what has happened in the last couple of weeks.

**David Neal:** Thank you very much for asking me to appear in front of you. As far as the big picture is concerned, I have been sacked for doing my job. I think I have been sacked for doing what the law asks of me, and I have fallen down over a clause in my employment contract. I think that is a crying shame, because I think I have done my job extremely well. I have been candid with this Committee and have produced multiple reports that have exposed, sometimes, a lack of effectiveness or efficiency in the system that the Borders Act sets me up to inspect.

I have worked very hard with the Home Office, to try to work with them to achieve what needs to be done and what the legislation asks of me. There are three main epochs, I suppose, if that doesn't sound too grand—three main areas where I have seen a change. First, under Priti Patel, with the small boats crisis, the report on our inspection of Western Jet Foil and Tug Haven was actively suppressed for approximately six months. When it was finally published it was accepted by the Home Office and it was found that it exposed some of the security risks at the border. That was a really good thing.

Secondly, in front of this Committee in October 2022, having been to see Manston, I talked about the wretched conditions that were experienced there. That was under Suella Braverman and it prompted change and immediate action that improved the conditions for people there.

Finally, more recently, there was the inspection of London City airport, where again I exposed things that are going wrong, which affect national security. I sought to communicate those problems to Minister Pursglove. I actively sought an urgent meeting with him. The meeting was scheduled for a week—timelines in the Home Office are slightly different from my timelines. Nevertheless, it was a week before the meeting was arranged, and on the morning when it should have taken place it was cancelled, so I did not have the opportunity to communicate what I deemed significant



failures in the effectiveness and efficiency of the border. I was unable to do that, and the rest is history.

**Q2 Chair:** There is a pattern, isn't there, of you not being able to get access to Ministers? I remember very early on that you were not able to meet the then Home Secretary. I think that the Committee was quite surprised when we asked you whether you had had an opportunity to meet her and you told us you had not. That was when Priti Patel was Home Secretary. I think you did then meet Suella Braverman. Is that correct?

**David Neal:** Correct. I met her on two occasions and I have always, or generally, been able to meet Ministers whenever I have needed to. I have communicated with all the Ministers. I have tried to communicate to the five Home Secretaries and six Ministers who have been in place since I was appointed that it is really important to get the subjective assessment of the chief inspector. I don't think it is good to go through the prism of senior civil servants, because it is in their interest to protect and to play things down. It is really important that the independent person can communicate directly with Ministers and tell them what is going on. If you cannot do that, I think we are in trouble.

**Q3 Chair:** You also met with James Cleverly, the latest Home Secretary.

**David Neal:** I have. I met James Cleverly just after Christmas. I have to say I was really impressed. I think he was positive. I think there is a change of tone in the Department. The discussions with him were good and there were lots of positives. Minister Pursglove came back to the Department, and we are picking up that relationship as well.

**Q4 Chair:** One of the key issues in this is about the reports that you write going in to the Home Office and seemingly disappearing for long periods of time, and either not being published or being published after months and months. Could you explain, so that we all understand, what happens to your reports when you send them in to the Home Office? In particular, could you say something about what the Home Secretary said recently about factual inaccuracies in your last report about City airport, and about its having to be checked by the Home Office before it could be published, and about the issue of redactions—just so that we are all clear about what happens to your reports and what the expectation is?

**David Neal:** As part of the process that we have with the Home Office, we conduct fieldwork and research, and produce a draft report. We have a formal process whereby we submit that for factual accuracy to the Home Office. The Home Office will then pick up the facts—it will pick up errors, perhaps, that we have made—and we respond formally to the Home Office about those factual inaccuracies in an issue-by-issue submission. Then we send the report to the Home Secretary to be published. We go through an extensive factual accuracy process on each and every report. That is codified and laid down in our procedures with the Department. It is not unusual for there to be disagreements in terms of the data. It is not unusual for there to be disagreement on facts.



## HOUSE OF COMMONS

Sometimes the Department pushes back considerably on the work that we do. Equally, when the reports are finally published they often find that they agree with what we have said and they row back on some of the things that have gone through factual accuracy. Yes, we take on board any facts that we may have made a mistake with, but most of our reports are pretty accurate and most are borne out by the test of time.

**Q5 Chair:** You stand by the final report that you put in to the Home Office on 14 February as factually accurate.

**David Neal:** I would not have submitted the report and behaved in the way I have done if I thought there was any doubt that what we had put into the public domain wasn't accurate.

**Q6 Chair:** You have also provided for the Committee a document, which we are going to publish, with 10 challenges to make the ICIBI more effective. Would you quickly like to go through that? Then we will have some questions from Members. It sets out, I think, a number of the concerns you have about what has happened over the last three years.

**David Neal:** It does. Thank you for that. It comes on the back of Wendy Williams's work on Windrush, in the "Windrush Lessons Learned Review". You will recall when I appeared in this Committee before that we talked specifically about recommendation 10, which is a commitment from the Home Secretary to review the role and remit of the ICIBI. I came into this job three years ago expecting that to take place. While it was agreed to by the Home Secretary, it was turned off about a year ago—I think it was last January—so there has been no progress in how the ICIBI has developed.

I do not want that "Top 10" to make it seem as though I should be looking into my former organisation to say that it is performing badly. Actually, the 10 areas are a good example of how any organisation should look to improve itself. Equally, most of this lies in the control of the Home Office, not the ICIBI. Nevertheless, No. 1 of the changes is independence and the ability to self-publish our reports in the same way as His Majesty's chief inspector of prisons or His Majesty's chief inspector of constabulary and fire and rescue services. That is a fundamental. I saw that Jill Rutter had written something last week about its being an absolute basic requirement for the independence of the post to be able to put material into the public domain.

Secondly, in terms of recommendations, Wendy Williams explicitly said that Ministers have a duty to publish clearly their articulation of justified reasons why they do not agree to implement some of the ICIBI recommendations. Some of the recommendations we made are accepted by the Department but not delivered. Some are partly accepted, and obfuscated. Some are downright not accepted at all. There is a big issue on recommendations.



## HOUSE OF COMMONS

There is a huge issue as to the resilience of the chief inspector, and this was written before what has gone on in the last week. Any gap between chief inspectors means that work stops. The way we are founded means that the chief inspector is so intimately involved in all the inspections that work now just stops until a new chief inspector is appointed. That is really unsatisfactory for our, or Parliament's, ability to hold the Home Office to account.

**Q7 Chair:** Before you go on to the next thing, can you remind us how long your appointment took—from when you applied to when you started in the role? How many months did it take?

**David Neal:** Nearly a year, I think—something like that.

**Q8 Chair:** Nearly a year. So we are looking at up to a year, possibly, to get a new chief inspector.

**David Neal:** Certainly six to nine months, as I understand it. I can go on to detail the five areas that I think will be impacted by my not being reappointed. I think that is quite important.

Following resilience are cross-Whitehall inspection powers. It is extremely important for the inspector to be able to cross over departmental boundaries. For example, if you are looking at Afghan resettlement, there are issues that sit within the FCDO and the Ministry of Defence. My powers extend only as far as inspecting the Home Office.

You will recall, and I have mentioned before in front of the Committee, an excellent report in 2015 by the NAO that compared kindred inspectorates: HMIC as was, and HMIs of prisons, probation and the CPS. It compared the ICIBI with those inspectorates and sought a sharing of experience, and sharing of staff—commonalities, ultimately, to be able to save money. That report is valid; it remains valid. It is ironic that it talked about the relationship with the senior sponsor in the Department—the individual who is there to promote the ICIBI. Well, it was the senior sponsor who Teams-called me to tell me I was dismissed from the Department. There is an irony somewhere, in those procedures. The 2015 report is an excellent piece of work and a really good starting point for anyone.

**Q9 Chair:** Sorry. Say that again: did you just say you were dismissed over Teams?

**David Neal:** Yes, I was. Worse than that, for my high-performing team of 30 civil servants, was the fact that the notification that I was sacked was in the media before I had had the chance to speak to them. That is shocking leadership. I have spoken to the Committee before about the quality of my staff, with an approval rating somewhere between 79% and 94%. It is a really strong team—best in class within the Home Office. For them, it is a real kick to find out that while listening to the "News at 6".



## HOUSE OF COMMONS

The importance of asylum and migration and the huge change that there has been in the ICIBI as an institution means that it should be granted HMI status so that it can be complementary and be benchmarked against others, and so that we can improve.

You have already mentioned redactions. There is provision in the legislation for redactions in relation to national security or personal risk to individuals. I have said before that I think redactions have been misused. The threshold for redactions is too low. If there is a requirement to redact on the basis that something might embarrass the Department, or on the basis that it might be of assistance to criminality, fair enough; but the legislation needs to say that. The potential misuse of the redaction powers is dangerous.

There is a resources review going on at the moment, which sees a 5% cut year on year from our budget. The independent anti-slavery commissioner gave evidence a few weeks ago on the same thing. The backdrop to that is the size of the Home Office, and the area that we investigate growing by 88% since we were formed. It is huge and burgeoning, and the natural consequence is that we cannot examine things in anywhere near the depth or breadth we need to.

Penultimately, on access to commercial contracts, there have been struggles in the past when we have not been able to access in depth commercial contracts. I think that that limits our independence and what we can unearth.

Finally—one of Wendy's recommendations is on this—there is no migrants commissioner, so there is no one to represent the views of asylum seekers and migrants who are in the system. I have worked really hard with stakeholder groups to understand their views as best I can, because they are an important stakeholder, but there isn't a migrants commissioner and I think that is a shame.

Those are the 10. I think they are important, but I stress that this is not an organisation that is not doing well of its own accord. We have reconfigured ourselves so that we have inspectors inspecting and producing quality reports that are very rarely questioned, and we play a central role in the debate.

**Chair:** It is very helpful having that all set out for us.

Q10 **Tim Loughton:** Mr Neal, some of us—I think all of us—were rather disappointed at your dismissal. We have always had a very good relationship with you on this Committee, although it did not necessarily start on that basis, through nobody's fault.

**David Neal:** I remember well.

Q11 **Tim Loughton:** You have always been exceedingly proactive in wanting to engage with us more, not least when you invited us to go on a joint inspection so that we could see the work that you do at first hand, the



## HOUSE OF COMMONS

better to enable us to scrutinise it and make recommendations to the Home Office. That was—still inexplicably—refused by the Home Office after Ministers had initially said there were no objections to it.

I recall that in November, soon after it was announced that your contract was not going to be renewed, I asked you why and you said that, largely, you didn't really know at that stage. Would you like to revisit that answer in the light of the events of the last few weeks?

**David Neal:** I now know that the Home Office Ministers supported my reappointment—not my extension, my reappointment; and the Home Secretary supported my reappointment. That reappointment process was sent to the Cabinet Office and on to No. 10 and it was turned down by No. 10. I have no idea why it was turned down by No. 10. The reason I know it was approved or supported by the Home Office is through disclosure material in relation to a judicial review that is sitting at the end of March. I cannot tell you why I have not been reappointed, but I can tell you that, as far as I understand it from the material disclosed to us, the Home Office approved my reappointment.

Q12 **Tim Loughton:** There is a judicial review pending that is relevant to this.

**David Neal:** There is a judicial review on 21 and 22 March in relation to Manston, in which the ICIBI as an organisation is an interested party. Clearly, I am not now going to be involved in that judicial review, although I will be interested to see how it plays out.

Q13 **Tim Loughton:** What do you think is the relevance of that to No. 10 and your position?

**David Neal:** I cannot say whether there is any relevance of that at all, but I can say that material that was disclosed in the judicial review, which I have seen, indicates that my reappointment was supported by Ministers within the Home Office. Whether subsequently in the judicial review material will be disclosed to show why No. 10 turned the appointment down, I do not know.

Q14 **Tim Loughton:** Can you flesh out what happens now? There will be a long recruitment process. Had the recruitment process started after you were formally told you were not going to be renewed? How is that recruitment process happening? Given that you have no deputy, which is one of the weaknesses in the structure that you highlighted, how potentially damaging could that be, if there is going to be a gap of six or nine-plus months, effectively?

**David Neal:** Specifically, I do not know when the post was readvertised, but I can detail the areas that will be impacted by the lack of reappointment. Most of them are areas that would be impacted irrespective of the dismissal. They are longer-term issues in relation to the reappointment.

It means that no one will be hurrying the 15 outstanding reports into the system. It means that all the ongoing inspections that are under way at



the moment—the contingency asylum accommodation inspection, the barges, the big sites; the Immigration Enforcement Competent Authority; the Rwanda country information report commissioned in 2022; and my annual report for next year, bearing in mind that last year’s annual report has not been published yet—cannot be reported to the Home Secretary. Effectively, they cannot be signed off. They are just held in limbo, as I understand it.

**Q15 Tim Loughton:** There has to be a chief inspector to be able to submit, let alone get the Home Office to publish, a report. Nobody else in your department of 30 can authorise those sign-offs.

**David Neal:** As far as I understand it. Even if it were the case that one of the civil servants could sign it off technically and send it in, there is no independence. I was intimately involved with all the inspections that were undertaken. Therefore there is no foreword written by the chief inspector, and no positioning in terms of the broader connectivity between issues where it would be necessary for the Home Secretary to understand the chief inspector’s views, as laid down in legislation. The legislation is quite clear in terms of the chief inspector reporting, and considering and making reports to the Home Secretary.

Those are the ongoing reports. There are another three areas that impact, as well. First, there is no independent chief inspector of borders and immigration for the judicial review that takes place in March, which is significant, in terms of that appointment being an interested party in the judicial review. There is no one to sign off or do the scoping work for the remaining inspections of last year’s programme.

You will be interested to know what the remaining inspections are. One is “Adults at risk” 4, which is particularly sensitive. You will recall that that commission was rescinded last year, but we proposed that we would continue to do it again. Another is “Small boats” 3, the third of the series of small boats inspections, which is particularly important. The others are on high-performance visa routes, Rwanda country information—there is new information for Rwanda decisions and that needs to be inspected; that will not now take place—the country information report on Georgia, and age assessment inspections. That is the remainder of this year’s programme, which we cannot now pursue, all of which we would have been able to do otherwise.

Finally, looking forward to the draft of next year’s programme, because I expected at least to be doing the work for next year’s programme, where will joint inspection activity with HMICFRS looking into organised immigration crime go? We were intending next year to inspect the level of communication between the Home Office and Parliament, including this Committee, because I think it has been wanting in some areas. Another area we were looking to deal with was deprivation of citizenship for non-conducive grounds. You will recall that this year’s report has not been published, and it did not deal with the non-conducives. The non-





## HOUSE OF COMMONS

conducive is particularly sensitive. We recruited staff and got staff vetted to be able to do that.

We were looking for somewhere else to do the second intelligence inspection—the first took place in Humberside—and really get under the skin of the intelligence at the border. Perhaps most important, considering recent events, was the comprehensive independent inspection of general aviation and Border Force's dealing with it. All of those things would have gone into next year's programme, but now cannot be done.

Q16 **Tim Loughton:** We have only ever had you as a witness from your former inspectorate. There is nobody else among your staff of 30 who would normally be called on to be scrutinised about the work of the inspectorate and its reports.

**David Neal:** No. It would be unfair to ask them to come. They are civil servants. That is not why they joined up. The way that the ICIBI has developed means that the chief inspector is accountable for everything that they do, and is intimately involved in all the activity. That is certainly one of the appeals of the job, and one of the great strengths of the job.

Q17 **Tim Loughton:** Effectively, the historical working of your department that has yet to be published and subject to public scrutiny, its ongoing working in many areas that are urgent and certainly of great interest to this Committee, and its planned working, are all effectively in limbo for the duration, and beyond, of the interregnum that is the absence of a chief inspector, which may be nine months at least.

**David Neal:** As I understand it, yes.

Q18 **Tim Loughton:** That is a bit worrying, isn't it?

**David Neal:** It is extremely concerning. The work that we do is front and centre of life in this country, for the security of the country and its future. It seems to be on the front page of the paper almost every day of the week. It is hugely important, and the lack of independent oversight, and someone who can explain to Ministers their view of what is going on at the border or in the accommodation centres, is really important; it is a great loss.

Q19 **Tim Loughton:** Added to which, presumably the Home Office now has to go to the expense, having sacked you, of any redundancy terms, rather than allowing your contract to come to its normal end if it were not renewed.

**David Neal:** I have not looked at that. I have sought to tidy up loose ends as best I can, and prepare myself for the Committee. We will see where it takes us after that.

Q20 **Tim Loughton:** If you had been allowed to continue just to the end of your contract, which was, I think, the end of March, in any case, some more of this work could have been done and some preparations put in



place. It is a cliff edge, effectively, where nothing can now happen.

**David Neal:** Correct. We would have been able to set in place two of those five areas. Certainly, we would have been able to set the staff off on the basis of the rest of the inspection programme and we would have been able to bring the terms of reference. We would have been able to submit the contingency report, and submit and come to a view on the Rwanda piece. We would have been able to put that in, so we would have been much better prepared than as it is, with a cliff edge, which leaves them hanging in the wind.

Q21 **Tim Loughton:** You have this slightly hybrid status, as a chief inspector, rather than His Majesty's inspector, which means that you do not have certain powers, and there is a whole issue around being able to publish regardless of the Home Office's reluctance, incompetence or delay? Is there any justification for that? Why was it set up differently?

**David Neal:** Personally, three years in, I don't think there is any justification for it. I think that the sterilising effect of openness on the areas that we inspect is really helpful. Many of these matters are, as I said, critical to the way that the country functions, and they should be aired. There is a public interest in getting these things out into the public space. I do not think there is any reason why we should be any different from HMIC or HMIP, for example. Just because the reports might be inconvenient should not mean that they are suppressed.

Q22 **Tim Loughton:** I am sure that previous inspectors of constabularies and fire services, not too many feet from you now, would not have described themselves as not being a nuisance.

**David Neal:** Mr Loughton, surely it is part of the job. For me to be effective and to make an assessment of the effectiveness and efficiency of what is going on in the Home Office, to a certain degree you are going to have to make a nuisance of yourself. The tragedy is that officials—professionals—don't mind criticism. They actually can improve the way that they do business. There are a number of senior officials in the Department who welcome reports, even though they can be quite challenging. Equally, I am afraid that if it impedes the bureaucrats' climb up the slippery pole they do not want that—

Q23 **Tim Loughton:** My point was that the distinction between being His Majesty's inspector and a chief inspector is not based on a nuisance quotient. They are there to do the same job, effectively. You and your predecessors have not been provided with the same powers to do that job as you see fit. Ultimately, do you think you have been set up to fail?

**David Neal:** I think I have had to play a canny game over the three years. You will recall that, before in this Committee, I have been pressed on whether I should be auto-publishing my reports, and I mentioned that I had taken legal advice. My legal advice is different from the Home Office's legal advice, as has been borne out by events. Had I chosen to press the nuclear button, which was a previous question, the country



## HOUSE OF COMMONS

would have missed out on 18 months of assessment and reports, because I am pretty sure I would have been dismissed 18 months ago, and then we would have had significantly less oversight, independence and confidence in the work that we do than we have now. I think it was the right decision not to go nuclear, as has been borne out subsequently by events.

**Tim Loughton:** Thank you.

Q24 **Ms Abbott:** You said you were sacked by Teams. That is relatively unusual for someone of your seniority.

**David Neal:** It would have been nicer to have an interview, I suspect. It is not the best way to go home on the half-past 5 train.

Q25 **Ms Abbott:** Were you given any prior warning by the Home Secretary or his private office that you were going to be sacked?

**David Neal:** No.

Q26 **Ms Abbott:** You mentioned in your introductory remarks that sacking you in the way that it happened is in breach of one of the terms of your contract. Did I hear that correctly?

**David Neal:** The letter says that I was breaching the terms of my contract. The point I was trying to make was I think I have acted in line with legislation within the Borders Act and been dismissed on the basis of the terms and conditions of a contract.

Q27 **Ms Abbott:** Do you think that the reasons for your sacking might have been inconvenient truths that you were raising with Ministers?

**David Neal:** In my experience, moral courage—doing the right thing on a bad day when no one is looking—is a rare quality. I think that is why I was recruited. Look back three years, Ms Abbott, when you were questioning me on this Committee when I was coming in. I suspect that you didn't expect that I would display the moral courage that I have needed to display in this job. It is every day. I will stop there.

Q28 **Ms Abbott:** On City airport, obviously I do not want you to go into it in any detail, but were the failures that you talked about—checking private jets—failures to do immigration checks or Customs checks or both?

**David Neal:** I have been spoken to by the Cabinet Office and received a letter from the Cabinet Office effectively restricting what I say about ongoing inspection reports, so I will be careful. The report will be published, I am sure, and then it will become clear. I hope that the Home Office are taking steps now, immediately, as a result, as soon as they received the report, to be able to close down those areas. At the moment, it would be putting me in jeopardy to go further than I have just gone.

Q29 **Ms Abbott:** Will it put you in jeopardy to say whether there was any suggestion from the Department that very high net worth individuals



## HOUSE OF COMMONS

should be treated with minimal interference?

**David Neal:** I have certainly not encountered that.

Q30 **Ms Abbott:** I was very struck, when the Minister came before the House to talk about your sacking, that he said that one of the problems they had with you was that you were putting out information that had no basis in fact. That was quite an extraordinarily blunt thing to say on the Floor of the House. Do you think you were putting out information that had no basis in fact?

**David Neal:** I would not have put my reputation and my job on the line if I thought that I was putting out information that was not based on fact.

Q31 **Ms Abbott:** Why did the Minister say that?

**David Neal:** I cannot tell you why the Minister said that. I do not know who briefed him or why he would have said that. I don't know. The report ultimately will be published and then it will come out, I am sure.

Q32 **Ms Abbott:** Was it 14 or 15 outstanding reports that have not been published?

**David Neal:** Fifteen, including the annual report.

Q33 **Ms Abbott:** Obviously, all the reports are very important, but which two or three of those reports were the most important and that you were most disappointed were not published?

**David Neal:** They are all important. As an independent and impartial inspector, it is equally important to have independent inspection that finds in an area that there is nothing wrong. In fact, it is equally important to find out areas that are performing well. It is quite difficult to pin on something in particular.

On risk to life and risk of damage, revisiting the inspection of children in hotels is particularly important. You will recall a previously published report where we found significant errors. That is particularly important because it involves children. The asylum casework was clearly of huge interest to the country. That is a particularly dense report and it will be particularly interesting. Social care visas, again because of the huge mistakes that have been made; they are all important in their own way. Quite a few of those are inspections of Border Force as well, which, taken together, can produce a pattern of performance.

Q34 **Ms Abbott:** When you came before us in November, you talked about the areas that we are dealing with. You went on to talk about "the unfairness that we are encountering and...sometimes the ineptitude or the poor things that should not be found in public life." What sort of ineptitude are you talking about?

**David Neal:** Sorry, could you clarify that point?

Q35 **Ms Abbott:** It is what you said. We asked you if you wanted to be



reappointed and you said yes. You said: "As you increase in confidence—I am sure you could check back and there would be someone who would be able to see that, once I really began to understand the areas that we are dealing with, the unfairness that we are encountering and, frankly, sometimes the ineptitude or the poor things that should not be found in public life." Did you find ineptitude? That is in our note; that is in our note of the meeting?

**David Neal:** I am sure I did. I cannot bring to mind exactly what I was referring to about the ineptitude. We see regularly in inspection work—not referring to the unpublished work necessarily but in general—poor performance and missed opportunities. I have sought to highlight that when I have reported. Specifically, I do not recall the ineptitude comment or precisely why I used that particular remark, but I have seen missed opportunities for things like asylum accommodation.

I have mentioned before at this Committee earlier elements of asylum accommodation where lessons have not been identified, where lessons have not been learned, where money has been wasted, where time has been wasted and where people have lived in significantly worse conditions because of inexperience and, frankly, I suppose the aggregation being ineptitude. Things are not being gripped, things are being let run and we are not learning from the mistakes that we should be learning from and at the speed we should be learning.

This is a huge department in the Home Office. Really, there should be much more bite at this stage of the game. That is not to say that there is widescale ineptitude; there are some extremely good, solid people in the Home Office doing some really good work. But it seems to be that they are at the next turn of the handle. When operations fail, they bring a new team in and that is when it begins to bite and begins to impact. That should be at day 1; it should not be at the first turn of the handle when things have gone wrong, in my view.

Q36 **Ms Abbott:** Just now you said that lessons have not been learned in relation to asylum accommodation. That is something of great interest. What do you mean by that?

**David Neal:** Not straying into the ongoing asylum accommodation inspection, which is clearly an enormous piece of work, I have said before in front of this Committee that the experience at Napier Barracks three years ago—Napier Barracks and Penally Barracks—was really poor. A year later, when we inspected, the Home Office had got its act together and the conditions were better. We did not see the transfer of that experience to Manston, for example. Then we saw that Manston was pretty poor, when I gave evidence last October, and we have not necessarily seen the transfer of that experience to other sites.

You will have lots more to say when these reports are published, but there are lost opportunities. I was not recruited because I am a former librarian. I was recruited because I was a former head of the military



## HOUSE OF COMMONS

police. It is really important that we talk about hard-edged delivery matters: value for money and dealing with people respectfully. It is just the reality, frankly, of dealing with large groups of people. It can be done better, and that has been my experience.

**Ms Abbott:** Thank you very much.

Q37 **Chair:** On that point about dealing with people respectfully, you mentioned that the Cabinet Office had written to you. Was it a threatening letter that they wrote to you?

**David Neal:** It wasn't a threatening letter; it was a formal letter that deterred me. Had I not got that letter, I might be a little bit more open as regards where I was before. But it has been brought to my attention that conditions as part of my contract mean that these matters will be treated confidentially. I know, in the future, that I will be able to speak with much more passion and detail in response to your questions. I can take a warning, the same as anyone.

Q38 **Chair:** A warning.

**David Neal:** Or a re-statement of the terms of my contract.

Q39 **Chair:** Of course anything that is said in front of this Committee is covered by parliamentary privilege and no action, as I understand it, can be taken from anything that is said to this Committee.

**David Neal:** I understand that, but having been given a direct steer, it would be wrong of me to go beyond it and completely countermand that letter.

**Chair:** Thank you.

Q40 **Kim Johnson:** Thank you for being here this afternoon, David. I want to pick up on a couple of points raised just then about asylum accommodation. Two of your 15 reports are linked to accommodation. I know you have been critical of the lack of a Government strategy on asylum accommodation. From your point of view, around what needs to happen now, there have been some issues about the cost and value for money. I have raised, in front of Matthew Rycroft, the fact that some of the people responsible for providing accommodation are making massive profits. I want to know whether you have been able to see any of those accommodation contracts or whether you have been obstructed from those contracts.

**David Neal:** I have not, as part of this inspection, been obstructed from seeing any of those contracts. It is a specialist business. We are a team of generalists. Therefore, we made the conscious decision, in the scoping of that inspection and previous inspections, not to look in any great detail into the contracts. You will recognise that the NAO is a much better and more expert organisation to look into that. We have regular meetings with the NAO to deconflict our programme with their programme in order that they can get under the skin of the contracts. I am not suggesting



## HOUSE OF COMMONS

that we take the path of least resistance, which is why one of those 10 matters needs to be ironed out; there need to be clear powers given in order that we do not have to fight with the Home Office to get information, if that is what we choose to do.

I think I have been able to do my job perfectly effectively without access to those contracts, but there will come a time when it is absolutely critical. The numbers, the more people who are there, and certainly the numbers in contingency asylum accommodation at certain sites, the cheaper the cost per day and the cheaper the headline figure. It is not something we have inspected, but clearly the more people on a site, the greater the capacity, the harder the site is being worked and, therefore, the conditions can be less good. The happiness of the individuals who are in it can decline as well.

No, we have not specifically been obstructed. No. If we had been obstructed, I would clearly have made a fuss about that.

Q41 **Kim Johnson:** That is good to know. I want to know your opinion on the likes of Serco who make millions of pounds in profit from the public purse. Should those profits be handed back to the Home Office so that the money could better be used elsewhere?

**David Neal:** It's not something we have looked at and it's not something I am going to commit to; it is something that Ministers often ask and I will give the same response as I have given to Ministers. It is not something that we have looked at. Previous Ministers have been very interested in the performance of the firms—all of them. There are positives and there are negatives, but I do not have a view on whether the money should be handed back.

Q42 **Kim Johnson:** One of the negatives was what was alluded to earlier about poor-quality accommodation and some abuse taking place of people living in those accommodations. I don't know whether that has been covered in any of the reports that you have highlighted. I welcome your optimism in that you believe that those reports will be published any time soon and that what you believe needs to happen to ensure that the level of abuse that is being undertaken in some of those establishments is stopped.

**David Neal:** Certainly, independent oversight is not a bad thing. When we speak to stakeholders, they point us in the direction of sites in constituencies, if they are political stakeholders. We will include them, or can include them, in our inspection. We have done a specific inspection at hotels in Northern Ireland, dealing with families in hotels in Northern Ireland, particularly in response to one of those requests.

The fact that the intelligence we receive, the confidential intelligence and the intelligence we receive from stakeholders, allows us to go when and where, hopefully, gives some level of assurance even if those reports are not immediately published.



**Kim Johnson:** Thank you, David.

Q43 **James Daly:** Mr Neal, I apologise for coming in late. I was unavoidably detained. You mention your contract a lot in respect of these discussions. I just want to understand if it is correct that in line with the notice provision in your contract, rightly or wrongly, you were given notice that your three-year tenure was not coming to an end. Is that correct?

**David Neal:** Right.

Q44 **James Daly:** Whether that was the right decision or not, that was in line with the contractual provisions of your contract. I understand that, when we talk about your employment being terminated rather than you being given notice, there appears to have been the leaking of information to the *Daily Mail*. Is that correct?

**David Neal:** That is what has been said, yes.

Q45 **James Daly:** You deny that?

**David Neal:** As I said right at the beginning, in what I am in the business of doing I had encountered a series of events that I thought were a risk to the country. There are 15 reports held up at the moment. I sought a meeting with the appropriate Minister to discuss that and others. That meeting was turned off.

Q46 **James Daly:** I understand all that and I appreciate that, but you leaked the information to the *Daily Mail*, didn't you?

**David Neal:** I'm not—I didn't leak—

Q47 **James Daly:** Is that the answer, Mr Neal? Is that just the straightforward answer?

**David Neal:** No, I didn't leak information. What I have done is, I think, what I needed to do in terms of how the legislation expects the independent chief inspector to behave, which is to monitor and report on the effectiveness of the conditions in—

Q48 **James Daly:** Your comments to the *Daily Mail*? Is that what the legislation requires you to do?

**David Neal:** Clearly, the legislation does not require us to comment to the *Daily Mail* but it does—

Q49 **James Daly:** You did though, didn't you?

**David Neal:** It does require us to expose. I think there is a higher calling that requires us to expose what is going on. If there is something going on that I think is a risk to the country, there is a duty to expose it.

Q50 **James Daly:** Going back to the absolute basics of your role, in terms of what your contract told you about your role, what is your job? I know what the title of your job is, but what is it to do?





## HOUSE OF COMMONS

**David Neal:** It is to monitor and report on the effectiveness and the efficiency of a series of services that are provided.

Q51 **James Daly:** You are responsive to when the Home Office requires you to do that, or is there a legislative requirement that you have to do so many reports a year or within a certain timeframe?

**David Neal:** We can, frankly, do as much or as little as I want. I consult the Home Office, and have done each year, as to what we might inspect. In fact, the general aviation inspection, for example, came at the request of the Home Office.

Q52 **James Daly:** Forgive me, I phrased that wrongly. Essentially, you had the power, if I can put it that way—it is a bit of an over-dramatic statement—or you had the authority to inspect whatever you felt was appropriate within the Home Office and what was going on within the Home Office in your sphere. Is that right?

**David Neal:** Yes.

Q53 **James Daly:** Again, just so that I understand it, statutorily or in the requirement to the Government to publish any of these reports, so that we can understand what the relationship looks like, you produced a report. Clearly, there is a contract in place and you did that with your team of civil servants. Is there a requirement on the Government to publish these reports within a set period of time, or to publish them at all?

**David Neal:** No, not that I can see in the legislation. No.

Q54 **Chair:** Sorry. On that point, is there an expectation that they are published within a certain amount of time—within eight weeks?

**David Neal:** There is an arrangement. I'm sorry; I thought we were talking about the law. It is not in the law. There is an agreement that they will be published within eight weeks. That has only happened on one occasion out of the 45 reports that I have—

Q55 **James Daly:** To understand that, that agreement is what? An agreement between who?

**David Neal:** That was an agreement between a former Home Secretary and a former ICIBI.

**James Daly:** Okay.

**David Neal:** It is effectively a local arrangement.

Q56 **James Daly:** If the taxpayer is spending a lot of money, in terms of 30 civil servants and an inspector to produce reports, it would seem common sense that there has to be more than just a handshake—I was going to say a gentleman's agreement—or a gentleperson's agreement, if that is the right way of putting it, for these reports to be published. You would agree with that. There has to be some other mechanism, not simply an



agreement between two people in the past.

**David Neal:** There is a codified way of producing each one of our inspections that is agreed with the Home Office. That set of rules has not been ratified by the Home Office, even though it was produced three years ago.

**James Daly:** Absolutely.

**David Neal:** It is all a little bit up in the air.

Q57 **James Daly:** The only reason I am asking these questions is that, clearly, if we are to have somebody in your position—and we should have somebody who carries the responsibilities and the title that you do—there surely should be some responsibility in statute, in law or in some form that requires your reports to be produced, rather than it simply being at the whim of the Government, as I think you are saying, as to whether they publish them because there is no recourse in law. It is on the basis of something that happened in a discussion between two people a long time ago. We need to put that in writing, don't we, or there needs to be some legal requirement?

**David Neal:** Absolutely, and the 10 points that I have written in—the points that would have been covered by a role and remit review—would have done exactly that. There is a gaping hole in the legislation to do exactly as you have just described—to codify when these things need to be published.

Q58 **James Daly:** Yes, absolutely. My last two questions are related to Ms Abbott's point. I'm sorry I cannot remember the exact phrase used, but I will use the word "incompetent". What was the word that was used?

**Ms Abbott:** Ineptitude.

Q59 **James Daly:** Ineptitude. Very few people in front of this Committee use the word "ineptitude". When you were talking about ineptitude, I know you could not remember the specific mark, but I assume you are talking about individual ineptitude or are you talking about corporate ineptitude?

**David Neal:** I think we would be talking about the Home Office as a whole. We have seen, through a number of inspections, when there have been opportunities that were missed, when there were mistakes that have been made.

Q60 **James Daly:** I am assuming that the Minister at the top makes a decision in any of those situations, and it goes down through the management structure around who has responsibility for that. I am assuming that when you examine how any of these things work, you look at that decision-making structure. Is it your evidence to this Committee that you have been too robust, or perhaps completely honest and straightforward—whatever the correct phrase is? You have called a spade a spade and called out incompetence when you have seen it in officials. One of the reasons you suspect that these reports are not coming out is



## HOUSE OF COMMONS

that officials do not want to be exposed by your very straightforward language regarding their competence.

**David Neal:** That is probably a fair assessment.

**James Daly:** Thank you very much, Chair.

Q61 **Alison Thewliss:** To follow on from the point that my colleague was making, did you have a sense, when you met with Ministers, that they had read the reports you produced, or were they just sitting on their desk in a holding pattern? Had they been read and had the information within the reports been understood by the Ministers that you met?

**David Neal:** Not the more recent reports. There were initial interviews, initial chats with Ministers, so I would not necessarily have expected them to have gone into depth. Previous Ministers have absolutely read the reports.

Q62 **Alison Thewliss:** I was asking because obviously some of them go back to April and June last year. In the period of time since the reports were submitted for publication, did you have a sense that the Government have gone, "Yes, we see these things. We'll try to change these things before we publish the report"? When the report comes out, it will be critical of, for example, ePassport gates, but by the time it is published they will have fixed it and it is fine.

**David Neal:** That would be one of the reasons why you would delay the publishing of the reports. Often, using the previous example of small boats and Western Jet Foil and Tug Haven, by the time they had sat on it for six months, the situation had completely changed, and the response from the Home Office could be, "There's nothing to see here. Everything's been dealt with and we can move on." That would be the disadvantage, looking at it objectively, as to why you would want reports released straightaway. Then those reports would be much more impactful.

Q63 **Alison Thewliss:** Absolutely. Is it possibly the case with all of these reports that they are waiting for other Home Office actions to correct whatever your report has told them?

**David Neal:** If that is the case, they have had a heck of a long time to sit on all of these reports. Similarly, the current regime has had several months to read the reports and clear them as well. There is just reluctance on the part of the Home Office to get the reports out. It does not happen to HMIC in the Home Office. It does not happen in Justice to HMIP.

Q64 **Alison Thewliss:** What happens for your staff now? You talked about the great team you have. The letter that has been sent by the various organisations working in the sector has been very complimentary about the way you have approached things and the way your staff have approached things. In the absence of being able to take any action on their own, what happens to them now? Are they in stasis until a new



chief inspector comes along?

**David Neal:** I don't know. A decision has to be made. It is a crying shame because we have excellent staff doing a really good job. The contribution has been overwhelming. The support for the staff has been incredible. I don't know. I don't know what is going to happen to them. It's a worry.

Q65 **Alison Thewliss:** It is a worry, yes. It is certainly something we can take up with Ministers on that front because, having had your work plan, there are a lot of weighty things that obviously need to be inspected. I am sure, from my own experience, I could add some things as well. Stuff around small boats continues to be an issue and is obviously something you should be exploring. It is really important that the adults at risk policy is understood in the context of everything else that is happening—immigration detention, for example.

**David Neal:** I have mentioned previously to the Committee that it takes some time to get up to speed for any chief inspector, irrespective of their background. They are coming into a new inspection programme and it is going to be quite challenging to come to particular views about what they are inspecting. You are more aware than I am of how complex the legislation surrounding it is, for example, so it is really important.

On that list of 10 things, perhaps there is an 11th, which is set terms of contract, so that an individual came in for perhaps five years, so that we did not end up in this position. That would certainly raise productivity and would certainly give better longevity for the individual who is in the post. I think that would be a sensible move. That is point 11.

Q66 **Alison Thewliss:** That makes sense. You mentioned in the 10 points that you made the resources of your organisation being cut. Do you feel that is just a spreadsheet-type decision that has been made, where everybody has to lose 5%, or is it to hamper some of the scrutiny that is being done by the chief inspector?

**David Neal:** No, I don't think it has been done particularly to hamper us. I am sure it is across the board, but it has a disproportionate effect because of the growth in the area and the requirement for us to do our job. I took a decision at a very early stage that we should have inspectors inspecting, so we stripped out the corporate services staff and we just have teams of inspectors, largely, who can then focus on what the legislation requires of us, which is conducting inspections. To write the paper to justify a claw-back of 5%, for example, detracts us from what Parliament expects of us. We don't have a great staff to combat the vagaries of Home Office whims. We have a great staff focused on inspecting and getting reports to the Home Secretary and to Parliament.

Q67 **Alison Thewliss:** You mentioned the importance of getting access to commercial contracts. Is there any work-around for that? In your point about the ICIBI, you talked about working closely with the National Audit Office to deconflict programmes and to get around the commercial



sensitivities.

**David Neal:** If I found, with commercial contracts, that there was a particular problem with contracts in an area that was in my inspection arena, I would speak to the NAO and see what powers they had and whether or not the NAO were going to do anything. I would work with others to try to get after it. A team effort is probably more important, but, clearly, it should not have to be a team effort because that slows it down. It means that you are dependent on others. To have the legislative power to be able to do it would be a really sensible thing, particularly because often contracts, and the money that is being made, are a concern. But to be able to do that and do it well, we would need to recruit a different type of inspector who had commercial experience, and that would potentially slow us down as well.

Q68 **Alison Thewliss:** You would need a contract law specialist to come in and look at those things to see the benefits. Finally, on the point about the migrants commissioner—it is a disappointment that that has not happened—it feels from the responses from organisations in the sector that they felt you were quite approachable in that role in standing up for people within the system, where there isn't really anybody to have that voice. Do you think that should be part of the chief inspector's role, or should it be that of a separate migrants commissioner, or can both roles reflect the needs of the people who are within the system?

**David Neal:** Wendy recommended the migrants commissioner for very good reasons, because post Windrush there was an absolute need for people's views to be properly represented. She saw that individual as working closely with the ICIBI to inform the forward programme, to deconflict activity and look at systemic issues, which was one of the points. In the absence of a migrants commissioner, I have tried to do the best I can by speaking to groups and representing people. That will be no replacement for a migrants commissioner, in the same way as it would be no replacement for the anti-slavery commissioner.

If there is a requirement that it should be a separate individual, I hope that it will build on what I have experienced with stakeholders. Frankly, part of the fun of the job is going round to speak to good people, new people, and learning new things. That is really important and it informs, hopefully, the evidence to this Committee, and certainly informs how we write our reports. It is critical. I would not want the migrants commissioner to replace all those connections.

Q69 **Alison Thewliss:** What particular advice would you give the person who fills the role after you?

**David Neal:** That is a really good question. Don't press the nuclear button too early. The advice would be to be true to yourself. You have to have the moral courage to do what is right; you have to keep in focus that there are real people out there; you have to keep in focus that politics is really toxic in this area, and you have to stand by your



## HOUSE OF COMMONS

principles. Those are the most important things. If this blows over, all you have left is your principles. “Do you sleep well at night?” was a previous question. Yes, I do, but that is because I have a clear conscience that I have done the right thing and will continue to do the right thing. For sure, there is a role in public life for people who speak truth to power. In every senior job you look at these days people say, “Do you speak truth to power?” How many people can say they have actually done that?

**Q70 James Daly:** What you have just said is probably a statement of the obvious, but it is absolutely astounding. Your evidence to this Committee is that, if you want a job like yours, you have to make sure you put out a sanitised version of an event that does not offend anybody in the Department and then you might have a long and fruitful career, but if you put forward things in a straightforward manner and, oh my God, call people incompetent, that is the ultimate sin and you are out. Is that basically the lesson this Committee is learning from what you are telling us?

**David Neal:** That is your interpretation. I would not go as far as to say “and then you are out”.

**Q71 James Daly:** It happened to you, so are you the example of my theory?

**David Neal:** I am absolutely not the example; perhaps I am the least example, but, yes, I think it would be fair enough. Some could say that I have been clumsy in the delivery of that, but I worked very hard to try not to be clumsy.

**Q72 James Daly:** What do you mean by clumsy? What does that mean?

**David Neal:** The civil service would like it if everything was nice, sweet and fruitful and things ran in straight lines. Life isn’t like that. You have to speak up; you have to give and take and you have to speak as you find.

**Q73 James Daly:** Your evidence to this Committee is that, if somebody takes over this role from you and has the temerity to criticise the civil service, that will be a major problem for them going forward in carrying out their duties.

**David Neal:** I am sure I would be very happy to give the person who comes into this role advice about some of the pitfalls.

**Q74 Marco Longhi:** Without wanting in any way to diminish what is obviously an unpleasant set of circumstances for you, rather than focusing on the vagaries of the Home Office, or who said what and when—whether it was Teams or Zoom—I would like to know whether you believe that the UK borders are safe and secure. That is what my constituents want to know.

**David Neal:** When I have conducted an inspection activity and unearthed anything that would point towards an insecure border, I have tried to represent that as best I can.



Q75 **Marco Longhi:** That is not really an answer to my question.

**David Neal:** It isn't, but I have not inspected all of the border. I have inspected certain things on the border. When I have inspected certain things, I hope that I have been able to bring out whether or not the border is secure.

Q76 **Marco Longhi:** In your best judgment, if I had to press you to give a view on this, based on your time in service and any changes you might have seen come about, would you say the borders are secure, or not?

**David Neal:** In my best judgment, I would suggest that there is some way to go for Border Force—because that is one of the areas we inspect—to work to its optimum level. I would not be going against the grain of what Alexander Downer said in his 2022 report into Border Force and the Prime Minister's 10 asylum issues, one of which was fundamental reform of the Border Force and the Home Office. There is a long way to go with the functioning of security of the border and the role that Border Force plays in it. That is what I have tried to bring out in my reports, and some of the reports held up in the 15 will bring that out.

**Chair:** I have just been told that the eight-week commitment was between Teresa May when she was Home Secretary and James Brokenshire when he was Minister of State. So that we are clear on that, it relates back to 2015.

Q77 **Ms Abbott:** Looking at your employment history, Mr Neal, in recent years it has largely been with the Royal Military Police. Because you have not had this kind of role before, what most surprised you about moving from the Royal Military Police to working for the Home Office?

**David Neal:** The lack of leadership and the turnover of staff. For example, in the Home Office there have been three second permanent secretaries while I have been there; all the directors general have changed over during my time; and asylum accommodation over the past 18 months has been passed over to four different senior leaders in that area. That makes it difficult in terms of responsibility, accountability and authority. It becomes a trope that the military have wiring diagrams everywhere to make responsibility, accountability and authority very clear. That is never clear in the Home Office. The lack of accountability and leadership is probably the biggest difference, and also the biggest disappointment.

**Chair:** To be clear, James Brokenshire, who was Minister of State at the Home Office for security and immigration, as it then was, said: "The Home Office tends to lay reports by the Independent Chief Inspector of Borders and Immigration within eight weeks of receipt, taking account of parliamentary recesses. Both Houses must be sitting for reports to be laid."

Q78 **Tim Loughton:** Mr Neal, to confirm on the record your last point, one of the biggest differences you have seen between your military career and



## HOUSE OF COMMONS

structure and the Home Office has been the turnover in staff. I am sure you are right, but it contrasts greatly with the statement by the current permanent secretary, as far as we know today, that one of the great strengths of the Home Office was its stability and continuity of staff; yet you have quite rightly pointed out that every DG has changed in your under-three-year tenure. We have had three permanent secretaries, and many other senior civil servants in the Home Office relevant to your area have moved on. I just put that on record.

**David Neal:** That impacts on stakeholder engagement and building trust, which is really important, particularly in an area where views are so diametrically opposed. Often, it needs people who are competent, who can build personal relationships and trust, and take risks with people to deliver what they need to deliver. Surely, those are things that we have to do in life. In the Army, on multiple occasions on operations you would be sitting down with people who could be described as the enemy, but you still had to negotiate with them and you would ultimately have to deliver to get to the mission. A little bit more of that in the Home Office would not go amiss, because those people are not the enemy; they are people for whom ultimately the state is responsible.

Q79 **James Daly:** You talk about diametrically opposed views. I am assuming that is in terms of civil servants. As far as I am aware, civil servants follow instructions from Ministers. It doesn't matter whether or not they have diametrically opposed views because they are carrying out the task at hand. Are you saying that civil servants have diametrically opposed views to those of Ministers?

**David Neal:** No. I am definitely not saying that. I am talking about perhaps a polarisation of the issues in society at large. Naturally, the civil service, the same as everywhere else, reflects the society it comes from, but I have not detected bias in the civil service at all. In fact—

Q80 **James Daly:** You don't think that some civil servants are trying to hamper Government policy.

**David Neal:** I have not encountered that. In the wake of Windrush and the face behind the case push in the Home Office, you regularly encounter civil servants at relatively junior levels who are making important decisions and are really thinking about their decisions. That can only be a good thing. That is no different from how we were in the Army and the military; it is just dealing humanely and sensitively with people, and then you get a better result at the end of the day.

Q81 **Chair:** The Home Secretary has said recently that they were on the verge of publishing the 15 reports. Are you saying that those reports can still be published, even though there is no chief inspector in role?

**David Neal:** They can certainly be published. There will be no chief inspector in place to write the press release or comment on them.

Q82 **Chair:** Before you left, did you have any indication when "shortly" was





## HOUSE OF COMMONS

going to be?

**David Neal:** We would speak every week to the Home Office to find out whether they would be released that week. I have no indication at all.

Q83 **Chair:** Was the expectation that they would come out one after another, or would it be 15 reports coming out together in one week?

**David Neal:** In the past, there has been a great report dump. Some of the stakeholders would say that hides bad news in the reports, particularly the denser reports, but I cannot say that I have experienced that. You would hope that to get the reports out would be a start, and it would be silly to get them out over weeks and weeks. Some of the reports are quite short. The Portsmouth report, which was a spot inspection risk report, is probably no more than a dozen pages.

Q84 **Chair:** We visited the Bibby Stockholm earlier this year. We obviously have some concerns about the Bibby Stockholm. We were told about the very sad death of an asylum seeker who was living on the barge. Am I right in thinking that you too were concerned about that and had asked to see a Minister to discuss what was going on?

**David Neal:** I was concerned about conditions on the Bibby Stockholm. After that tragic death, as part of the inspection programme, I visited the Bibby Stockholm again for the third occasion. The specific concern related to Wethersfield where there had been a number of suicide attempts. The specific concern, which is in the public domain because it is subject to a freedom of information request, related to Wethersfield and a letter that I wrote to the Home Secretary before Christmas about my concerns about Wethersfield.

Q85 **Chair:** Did you have an opportunity to meet with Ministers to discuss those concerns?

**David Neal:** I did from the initial letter, and there was a second letter when I went back to Wethersfield. Again, because this is in the public domain after a freedom of information request, I feel that I can talk about it. On the second occasion, I intended to follow up a month later, but we chose not to do so because there had been a suicide attempt and we felt it would be wrong and disruptive to come in from the outside, so we left it for another two weeks. We went six weeks later. Because of concern that insufficient progress had been made in those six weeks I wrote again to the Minister. Part of the purpose of the urgent meeting I requested with Minister Pursglove was to discuss those concerns. The concerns related to violence, purposeful activity on the site and whether or not the Home Office had the correct expertise to handle 555 men who were on an island, marooned in the middle of nowhere. In my experience, which in this area is quite considerable, a significant risk was being run and I made that clear to the Home Secretary and Ministers by letter.

Q86 **Chair:** By letter, but you didn't have the opportunity—



## HOUSE OF COMMONS

**David Neal:** There was one letter and then meetings with both of them, and I followed it up again with a letter.

Q87 **Chair:** Another letter.

**David Neal:** Had the meeting not been cancelled we would have discussed it again to reinforce the point I was seeking to make. It is a concern, given the mental health issues. When we were chatting in a focus group with a number of asylum seekers—again, this was in the letter and I feel I can discuss it—an Egyptian nearly had a fight with an Eritrean in front of us. That is not normal behaviour in any community, in any society, in any camp. That should not be taking place.

Q88 **Chair:** When you came before us in November I think you said that previously you had been invited to apply for the role again, or it has been said that you had been invited to apply in open competition and you chose not to. Is that correct?

**David Neal:** I am not sure where that has come from. I have not been asked to reapply. I think I would have remembered that. It is not something I have been asked to do. If I was asked to reapply I would love to reapply. It is a great job, but I have not been asked to reapply.

Q89 **Chair:** I have a feeling that that was in the public domain somewhere. I do not know whether it was a Minister. I think it was the Home Secretary who said on 23 February, "David was invited to apply to that open process...We had already started a recruitment process."

**David Neal:** That is not the case. If I had an offer to reapply, I would be delighted.

Q90 **Chair:** The post was advertised last November and the deadline for applications was December. I think we were told that interviews would be in January.

**David Neal:** I understand that an insufficient number of people had applied. This time, I think it is being run through a headhunter to get a broader field of people.

Q91 **Chair:** I think the salary has been increased by £10,000.

**David Neal:** Ironically.

**James Daly:** If you promise not to criticise anybody you get the extra money.

Q92 **Chair:** Is there anything you would like to say to the Committee that you have not felt able to say in this public session? We are very happy to move into private session if there is anything you would like to say to us in that regard.

**David Neal:** It might be useful, Chair, if we moved into private session because then I can perhaps close the book on a number of things.



## HOUSE OF COMMONS

**Chair:** That would be good. Before we do that, while it has been a rather unceremonious end to your tenure as independent chief inspector of borders and immigration, on behalf of the Committee I want to place on record our thanks to you for your clear commitment to the role, the excellent investigations you have conducted and your readiness to share your investigations and insights with the Committee. Your findings and recommendations have proved hugely valuable to Members here. All of us would like to wish you the very best for your future. Thank you very much for attending today. We will now move into private session.