



Home Affairs Committee

Oral evidence: The work of the Immigration Directorates (2014 Q1), HC 501

Tuesday, 22 July 2014

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Oral evidence from witnesses:

- [Home Office](#)

Members present: Keith Vaz (Chair), Michael Ellis, Paul Flynn, Dr Julian Huppert, Mr David Winnick.

Questions 1 - 115

Witnesses: **James Brokenshire MP**, Minister for Security and Immigration, **Sarah Rapson**, Director General, UK Visas and Immigration Directorate, and **Mandie Campbell**, Director General, Immigration and Enforcement Directorate, gave evidence.

Q1 Chair: I welcome James Brokenshire, Mandie Campbell and Sarah Rapson. Minister, I explained to members of the Committee that you had other duties in respect of the Security Minister post that you hold and therefore we had to change the order around, but you made it in time.

James Brokenshire: I thank the Committee for their patience and forbearance. I take these scrutiny sessions seriously, and I would not have wished to have inconvenienced the Committee in any way. I am very grateful for your ability to swap the order, so that I could complete business on the Floor of the House in relation to the Data Retention and Investigatory Powers Act regulations. I appreciate that very much.

Q2 Chair: It is a pleasure. We like to accommodate Ministers. May I congratulate you on surviving the reshuffle and keeping your two jobs? That is quite an achievement for a male, I understand, in the reshuffle, but you come well protected today with two very distinguished women at your sides.

In respect of this Committee, as you know, we scrutinise the work of the Home Office on immigration matters once every four months, so we have some routine stuff to get through.

We will then look at passports as a separate issue, which will involve both yourself and Sarah Rapson as she is the previous head of the Passport Office, although we do not hold her responsible for what has been happening in recent weeks.

We will start with our routine work. First, to you, Sarah Rapson, thank you for coming again to give evidence to us. It is now about a year and a bit since you were appointed. May I ask you to pass on my and the Committee's thanks to Lisa Killham, your customer service operations director or manager who is leaving your service and going to another part of the Home Office. When Members have contacted her, she has come back swiftly with answers, and in many cases that is all we seek: to be able to write to the Home Office and get a reply. So would you pass on our thanks to her and wish her well in what she is doing?

You have given evidence to us a number of times. On no occasion, Sarah Rapson, did you tell us that there was a problem with the computer system in respect of immigration and casework. We opened the newspapers today to discover that the £347 million computer system had been found not fit for purpose. That obviously predates Mr Brokenshire's appointment as a Minister. Why were we not informed about the problems that you were facing with the computer system? It obviously predates you, as well, because you did not sign the contract, but this has been ongoing for a while.

Sarah Rapson: If you cast your minds back to when the Home Secretary told the House about the decision to break up the UK Border Agency, there were a number of reasons for that. One was the poor IT that the system has that had been going on for some time.

In August last year—a number of months after the creation of the two new commands in the Home Office—the decision was taken to stop with the IT programme that had been under way for some time under UKBA and to take a fresh look at how we would want to do it with a more modern, slightly smaller and therefore more manageable approach that is now under way. We have had some early successes, not least the new visa exemplar in China, which we have just rolled out and customers are already using.

Q3 Chair: Yes. We will come on to the successes, because I am sure that you have all got news for the Committee on the successes, but can we just go to the failures first—£347 million? Again, I excuse you from making the decision to buy that computer system; you were not there at the time. That is a lot of money to have put on a computer system that does not work. The Committee was not told at any stage by you or other senior officials that that was a problem. It could have been an explanation because, of course, one of the things we have been banging on about every time we have had you or your predecessors here is that we write letters and don't really get replies, or when we get replies they are delayed. Clearly, the computer system was not generating the kind of good practice that you or the Government or Members of Parliament had wanted. So it has gone, at £347 million.

Sarah Rapson: What I would say to that, Chair, is that in probably all of my appearances before this Committee, I have talked about the desire to get better management information for us. Part of the issue we have about knowing what work we have in the system is that the IT we have does not give us the management information that we need to run the system properly. There was no intention not to talk about the computer system. In fact, because the Home Secretary had been very open about the IT issues in the House, it would have been obvious from my perspective that when I was talking about the problems that we were facing with data that it would have come from that.

Q4 Chair: Not really. A statement by the Home Secretary to the House announcing the abolition of the UKBA is no substitute for the head of immigration and visas coming before us to say that there are problems. Anyway, you have got a new computer system. What worries us is that there are newspaper reports that it is starting to fail and freeze in respect of some aspects. Please reassure us that the new system works. I think the figure that has been put on it is about £200 million. Is that right?

Sarah Rapson: If I can draw a distinction between the system that is described as freezing—I saw the reports today—and the new system.

Q5 Chair: So the old system went in August 2013 when you were head of immigration and visas. It stopped working and you closed it down in August 2013. Is that right?

Sarah Rapson: We have a very old IT system that our current caseworkers used called CID. That is probably too much detail for the Committee; I apologise. It was intended to replace that with the ICW programme you have just talked about, which was the UKBA programme. That system is still being used.

Q6 Chair: Right. I am already getting confused. There have been IT problems, as announced by the Home Secretary. You implied in your evidence to us that you told the Committee about that. This system ceased in August 2013. This is the system that cost £347 million. Is that right?

Sarah Rapson: The programme to replace the IT system is the thing that was stopped in August 2013.

Q7 Chair: And was that £347 million?

Sarah Rapson: Yes.

Q8 Chair: So the programme cost £347 million?

Sarah Rapson: Over a number of years—

Q9 Chair: Of course. It is no longer being used. Do you have a new system that has newly been purchased, or is this phase 2 of the old system?

Sarah Rapson: If I may, Chair, there is a very old system that we have been using for many years which is still in place. It is the system that my caseworkers and Miss Campbell's caseworkers use every day. It is not as resilient as we would like it to be. It doesn't give us the management information consistently that we would like. But that is today's position. However, going forward, there is—

Q10 Chair: And that is still ongoing?

Sarah Rapson: That is the system we use today.

Q11 Chair: And what was the cost of that programme?

Sarah Rapson: I don't have those figures.

Q12 Chair: So the £347 million programme is at an end in August. You still have a system at the moment that you don't regard as being fit for purpose. There are still problems with it because it is a very old system that people are not able to access or use effectively, is that right?

Sarah Rapson: It does most of the job that we would like it to do, but there are flaws. It is not a system that you can make changes to very easily. To make changes to it is very expensive. So the new programme, the immigration platform technology programme—

Q13 Chair: So this is phase 3?

Sarah Rapson: It is the new programme which will take a very different approach. It is not as big and it will be much more manageable and it will connect together all of the information that we have about the individuals we deal with in a much more sensible way.

Q14 Chair: Excellent. And what is the cost of this third programme? We understand the first programme doesn't exist any more. You stopped it. We understand the second programme has flaws in it, but you have to carry on with it. So the third programme costs what?

Sarah Rapson: I will have to write to you on the specifics, but it is broadly a couple of hundred million over the next period, but I don't have the detail to hand.

Q15 Chair: Are you confident that this will deliver what you want? Many Committees of the House, including the Public Accounts Committee, have talked about the way in which the Government procures IT. Except probably Dr Huppert, none of us has degrees in computer programmes and understand this to the extent that he does. But are we confident that whoever we bought this computer system from—I assume it is not PC World—will be able to deliver you what you want, so you are not sitting here in six months’ time saying, “It doesn’t work.”?

Sarah Rapson: We are taking a fundamentally different approach to the way that we manage suppliers in this contract. We are not trying to build something that is big and will deliver in one moment in a few years’ time. We are delivering small chunks of additional capability that staff will see, that customers will be able to see and then moving on to the next bit. That will then deliver and then we will move on to the next bit. I think this is much more sensible approach than building something that is too big. It is entirely in keeping with the Government’s procurement and IT and digital strategies.

Chair: Excellent.

James Brokenshire: It is part of what is known as agile procurement. Effectively, it is that phased approach rather than perhaps the traditional approach that has been taken by the Government, having a big build around one platform. So it is, I suppose, incremental elements that you add to it to de-risk and therefore to see that you are having a phased methodology approach. That is very much the intent. I should say on the ICW programme that while, as Sarah indicated, it was scrapped last year, it delivered some benefits for students with an application that aided their application process. It has given staff the ability to connect 14 different databases simultaneously, which obviously has significant value attached to it. Obviously, it did not fulfil the requirements of the new structure and hence the reason why the decision was taken last year for it to end.

Q16 Chair: So in total, we are talking about half a billion pounds on the computer system of the Home Office dealing specifically with immigration and visa issues. If you add the £347 million to the cost of phase 3, the new system you are talking about, which is another £200 million, and the bit in the middle that you are still using, which we don’t have a cost for—if you could write to me and tell me the cost, that would be very helpful—it is about half a billion pounds. Is that right? Is that what we talking about?

James Brokenshire: Sarah will be able to provide the detail of the cost of the new phase programme over a number of years, but that is in addition to the sum that has been disclosed in respect of the previous programme, which has delivered benefits estimated at about £95 million a year on that £347 million investment.

Chair: If we could have the full figures, that would be helpful. Let us move to the “work in progress”, because I know, Sarah Rapson, that you do not like us to describe it as a backlog.

Mr Winnick: Is that word now banned?

Q17 Chair: It is banned for Sarah Rapson, but not for this Committee. The NAO report, which helpfully was published today, says that there are 301,000 open cases for Q1. You do not regard that as a backlog because that is within your service standards, and we are keen to explore the use of those words because you, Rob Whiteman and others have always used them. Why do you keep using the term “service standards”? Who chose those words? Who do you consult before deciding that it takes six months to do a family visa case? I think it is six months for citizenship.

Sarah Rapson: Yes.

Q18 Chair: Can you have fast-track citizenship?

Sarah Rapson: Not at the moment.

Q19 Chair: But you can have a fast-track application for settlement.

Sarah Rapson: Yes.

Q20 Chair: What is the service standard at the moment for a straightforward spouse application for someone who comes into the country, does the probationary period of two years, is supported by their spouse and makes an application for indefinite leave to remain?

Sarah Rapson: There is a six-month service standard in permanent migration.

Q21 Chair: That is the issue here. I have a number of these cases, as I am sure that colleagues do. These are people resident in this country who have made applications, but who have got to wait six months for a decision, and that is regarded as reasonable and acceptable, and not a backlog unless it gets to six months and one day.

Sarah Rapson: Where to start? I take issue with the term “backlog”. I do accept that at times work will be outside the service standard and that, in those cases, that is a backlog. It is not that Sarah Rapson has banned the word “backlog”. If we are outside of the service standard, which is a published timeline, that would be described as a backlog. But work within that, including, for example, applications that came in yesterday, is not. There will always be cases in the system. If you remember when we first—

Q22 Chair: But is that not the case for every organisation in the world? I am just disputing this period of six months. How do you get to a decision that six months is a reasonable time in which to consider a straightforward application for indefinite leave to remain in this country?

Sarah Rapson: Once we have run this system for some time it would be entirely reasonable for us to look at whether six months is the right amount of time. Our intention was always to go back to that once we had got this system working properly.

If you remember, a year ago we did not even know how old any cases were; it was just a great big number and we did not know what was within the service standard and what was genuinely backlog. We now have that, so we will run this for a period and then we may want to look at whether some of these timings are appropriate or not. But all we have tried to do with the timelines is describe what is currently in practice and get that system working so that, at the very least, we can give transparency to people and they know how long things are likely to take. In temporary and permanent migration, all the cases that can be worked on are being, and have been, worked on within either the eight weeks for temporary migration or the six months for permanent migration.

Q23 Chair: But you are happy at the moment with this figure of 301,000 in Q1? You think that that is just work in progress and there is no need to do what you did when you arrived, and Rob Whiteman did when he arrived, in respect of cases that had not been put on the computer. There is no need for a blitz to try to get rid of these cases once and for all, as you did with the legacy cases? The legacy cases have come down considerably, because this Committee kept producing reports; Ministers responded, and senior officials like you and Rob Whiteman were able to start bringing the figure down.

Sarah Rapson: Adding everything up to get the figure of 301,000 does not really give a sense of what is genuinely going on. I don't think it is helpful to add things up in that particular way. If you break it down into its component parts, you get a much more useful perspective on what is going on, so 88,000 of those cases are the temporary and permanent migration cases that I just talked about. The vast majority of those—over 90%—are within that service standard, and the rest of them are blocked for reasons I can go into.

There is another proportion that relates to the older live cases unit, which we have talked about before in this Committee. The Committee knows that there is a plan to progress and to review all of those cases by the end of this calendar year, and we are still on track to do that. Then there are two other elements to it. One relates to the migration refusal pool and the other to the quantity of FNOs—foreign national offenders—that are in the country. I do not think that adding all that together really gives you a sense of the work in the system in that way, but certainly when you think

about the applications that we have and the work that we need to progress as it relates to temporary and permanent migration and the older asylum work, we are making progress.

Q24 Chair: Minister, you are going to reduce Sarah Rapson's budget further next year, not because it is Sarah Rapson's, but because you are reducing the general budget for the work of immigration and visas. Is that wise? You are starting to make progress. We are seeing progress being made. Queues are coming down. Overall numbers are down from the 500,000 that the Committee first looked at a few years ago. This is definitely coming down. Is this the right time to start reducing the budget of a service that both you and the rest of the Government want to see run in an efficient way?

James Brokenshire: We have to take account of the overall public finances, Mr Vaz, as you will appreciate. The Home Office has to play its part in meeting the budget deficit requirement, but as we have shown with policing, if we are creative in our approach and we innovate, it is possible to reduce budgets while also delivering improvements. We are clearly focused on seeing that the improvements that Sarah has talked about and that you have acknowledged are continued by our use of technology and the different approaches that we can take. Indeed, we can reflect on some of the changes that the Border Force have made with their use of technology at the border to get that investment, and we can look at the efficiencies that that drives.

Q25 Chair: So you are not worried that you are cutting the budget by half a billion pounds? I know we have just talked about a computer failure that cost £300-odd million. You do not think that that will make any difference to a real laser-like desire by you and Mark Harper to get these backlogs down. You think Sarah Rapson will be able to cope.

James Brokenshire: We monitor the progress in the meetings that I have with the directors general in respect of their outputs and the budgeting that goes with it, but we remain confident that we can deliver on those clear ambitions and on meeting the service expectations of the public, while at the same time continuing to make the savings that are required in terms of the budgets.

Chair: We will come on to passports as a separate issue at the end.

Paul Flynn: The capacity of civil servants and Ministers for self-delusion never astonishes me. Ms Rapson, you go back to year zero, which was last year when you joined the service. You were in the Passport Office before. I believe you took the decision to—

Chair: Sorry—Mr Flynn, can we come to passports later as a separate issue? You can certainly ask Sarah Rapson that question, but can we carry on with UKBA? We will come back to passports, I promise.

Q26 Paul Flynn: Can I ask what an agile computer system is? That is for the Minister.

James Brokenshire: It is the method of procurement. In other words, the way in which you create a new computer system is to take your starting point and then look at the functionality—what it does—and then seek to make changes to improve it on a phased basis, rather than moving from one computer system to a brand-new computer system, which may or may not have the functionality that you desire, and going from plan A to plan B in one step. The jargon is used in the industry and therefore I phrased it in that way. In essence, it is having that steady incremental improvement to the system that you have.

Q27 Paul Flynn: You think this is new and has never been tried before or introduced by Government?

James Brokenshire: It is something that the Cabinet Office has been encouraging across Government to learn from some of the—

Q28 Paul Flynn: Is there no contrition for the fact that you have just lost £371 million? I'm sure Ministers of whatever Government came to Committees like this and said, "This is great. It's agile. It's the best offer." Time and time again, huge losses are made by Ministers and, without a blush or word of contrition, you will go on to the next system and say, "We've got to go on. It's utter chaos and huge sums of money have been lost, but we'll do better next time."

James Brokenshire: I would highlight the fact that the previous system did deliver the benefits I referenced in my answer to the Committee. We have learnt from some of the mistakes of the past—creating one brand new computer process and new system in one fell swoop—by taking a more phased and incremental approach to the delivery of new computer systems to de-risk it for those processes.

Q29 Paul Flynn: I have heard the phrase "de-risking"; it is another piece of jargon, which is fairly meaningless. It is a way of saying that you have discovered some holy grail that means we will have a Government who will behave like no other Government have for the last 100 years and it is all going to be a pathway to paradise in future. Is that your real belief or do you feel you are suffering from delusions?

James Brokenshire: No, I think it is the more effective project management for these big programmes. That, I think, has been the challenge for Government in the past: moving and procuring in one fell swoop, so you have a new programme with a very big budget attached to it. We judge that this phased process is more effective, and that is consistent with the overall approach the Government are taking to all new programmes across Government. You deliver one part and close that bit; you then

deliver the next part and close that bit. You take smaller chunks that you phase through, so that you have the steady improvement in the systems that you require.

Q30 Paul Flynn: We look forward to coming back to this. I think this is the language of the political snake oil salesmen of all parties which we have been listening to all our political lives. Returning to the quarterly data on migration service standards, the figure for family applications has been below 40% for two years and the standard to reach is 65%. Why is that?

Sarah Rapson: The 65% target relates to the old way of measuring service standards. The data has not yet fed through to our quarterly reports to HASC. I think it is misleading because any target that says 65% of people will get a decision in whatever time means you don't know whether you are part of the 65% or of the 35%.

Q31 Paul Flynn: But you just explained to us in detail about backlog: "There is no such thing as a backlog; it is all work in progress. There is no such thing as a failure; it is a partial success." You change the description. Let us get it straight: the standard to reach was 65% and what was reached was 40%. Why is that?

Sarah Rapson: In that particular route, we have seen a very high refusal rate because of the nature of the applications we get. There were quite a few applications from people trying to find a way of legitimising their stay when they should not actually be here. We have done a lot of work to try to strengthen the policy and the process around it, but the length of time taken is because we are doing additional checks since there are lots of issues with that route.

Q32 Paul Flynn: Could you put it in plain and simple language? If you aim for 65% and you get 40%, is that a success or a triumphal failure?

Sarah Rapson: The 65% target, which is the old way of organising this—

Q33 Paul Flynn: If someone kicks a ball and misses the goal, the good thing would be to move the goalposts to a different position and say it was a success, which is exactly what you seem to be doing. You have a target; you failed to hit the target and you then describe the process as being at fault, not your failure to reach the target.

Sarah Rapson: What we are doing—this would pick up the cases in that particular cohort at the moment—is saying that all those cases, where they are straightforward, will be dealt with within six months. If they are not going to be dealt with in six months, we will make contact with the applicant to say so. We will do the necessary checks to ensure that we make a good decision.

Q34 Paul Flynn: Regarding the performance on student applications, can you explain why it was below 29% throughout 2012-13? Why was it then improved to 87% in the third quarter of 2013-14, when the number of applications quadrupled? That is a freakish result.

Sarah Rapson: I think you are talking about the work we have done to tackle the backlog. In November 2012, there were 225,000 cases across temporary and permanent migration. We have made some significant inroads into that. When you start to look at individual routes, such as the student route, we have cleared all that work that is outside the service standard, which, for students, would be eight weeks.

Q35 Paul Flynn: The percentage of complaints responded to within service standards was 83% in 2011-12. In 2012-13, it was 61%, and it is now 59%. Why has there been such a deterioration?

Sarah Rapson: That again relates to the fact that there were 225,000 cases in the system, many of which were outside service standards. Many complaints related to those delays, which we are now working through and have mostly cleared. This year's performance is even better than the one you have just described.

Paul Flynn: Will you reach the standard by the end of this year, or early next year? Will you be hitting the standards?

Sarah Rapson: As of the end of March this year, in all the routes in temporary and permanent migration, for all those cases that are not straightforward, we were well within either the eight-week or the six-month service standard.

Q36 Mr Winnick: Just to clarify, Minister, if you were asked questions in the Chamber about the backlog of non-asylum cases, you would tell the House what we have just been told, that there is no backlog. Is that correct?

James Brokenshire: As we have heard from Sarah, there is work in progress in the system that meets service standards. That is the process that we focus on. I suppose I would support the analysis that Sarah has outlined, in terms of the work of UK Visas and Immigration.

Q37 Mr Winnick: Really you could answer only yes or no if you are asked in the Chamber whether there is a backlog in non-asylum cases. You would say, "There is no backlog", because of what we have just been told.

James Brokenshire: As I said, there is clearly work there. The figure that was indicated, in terms of temporary and permanent migration, which has been referenced in the National Audit Office report, is around 85,436 in quarter one of

this year. That is work that is being processed. There has been a great deal of effort, as we reported to this Committee last time round, in ensuring that the numbers are brought within the specified service standards. That is important to recognise.

Yes, there were backlogs that were outside the service specification, which UK Visas and Immigration has worked hard to reduce to get the numbers to where they are now. It is right that we have focused and continue to focus on other areas as well. Asylum is one area where there is more work to do. We have already indicated the steps being taken to bring to asylum back to service requirements by April next year, because of the need to ensure that those numbers are reduced.

Q38 Mr Winnick: If you were asked a question along the lines I have suggested and you gave that reply, it would be interesting to see whether the Member who asked that question was happy.

Leaving that aside, as far as asylum decisions are concerned, waiting more than six months for an initial decision continues to increase. This question is really to Sarah Rapson. The figure reached 40% in the first quarter of this year. That is the position, isn't it?

Sarah Rapson: Yes. There is more work to do, as the Minister has just said, in asylum.

Mr Winnick: To say the least.

Sarah Rapson: We are not keeping up with the initial decisions—I think I mentioned that the last time I was at the Select Committee. There are some reasons for that, if you would like me to go into them.

Q39 Mr Winnick: How many asylum cases have been waiting for more than six months at the moment?

James Brokenshire: If it will help, I can say that at the end of March there were 15,912 claims for asylum pending an initial decision. That is the aggregate figure.

Q40 Mr Winnick: One moment, Minister. You are giving a figure for asylum cases that have been waiting for a decision for more than six months.

James Brokenshire: That is the aggregate. The figure I have is 15,912, which is the total for the outstanding asylum cases.

Q41 Mr Winnick: In total?

James Brokenshire: Correct.

Q42 Mr Winnick: And out of that, how many have been waiting for more than six months?

James Brokenshire: The adult decisions that have been outstanding for more than six months stand at 7,485. I must confirm whether those are comparable figures to that number, but I hope that gives you a sense at least of the general proportions of what we see in that context.

Q43 Mr Winnick: Can I put this to you? Constituents come to see me—I am sure I am not the only one—and say, “I have been waiting 10 or 12 years”; that is a regular occurrence, not a one-off. Now, the likelihood of that person being asked to leave is remote, but he—usually it is a male—cannot work, and all the rest, for 10 or 12 years. I would be surprised if any of my colleagues say that is unique to me.

James Brokenshire: Mr Winnick, I agree—

Q44 Mr Winnick: Do you confirm that?

James Brokenshire: I agree with your concern that there are cases that have been waiting too long for a decision to be reached. That is why UKVI is focusing on ensuring that all claims made before April 2014 have an asylum decision by no later than 31 March next year, and that all new claims received after 1 April 2014 come within a six-month decision window. There will be complicated cases that fall outside that window because of their nature and the evidence that may need to be gathered, but that is the approach that is being taken to ensure that decisions are made in a timely fashion and to resolve the long outstanding cases that some people have seen. Equally, we are focusing on clearing all outstanding human trafficking cases by the end of this month, so we are prioritising the most vulnerable people.

Q45 Mr Winnick: How can one explain that? Obviously, this Government has been in for four years, and these cases go back before that, so I am not saying this problem is unique to this Government, but how is it possible for people to have waited for the sort of period that I just mentioned? What has held this up? Cases can be complicated, but they can't be so complicated that a decision can't be reached one way or the other. That question is for the Minister, or Sarah Rapson, as the case may be.

James Brokenshire: I think some of them are genuinely complex. Conflicting evidence and information may be received. Some of the asylum cases that you are referencing, Mr Winnick, may be subject to legal challenge, and further asylum applications may be made subsequently. When somebody has been in this country for a number of years, they may have started off as an overstayer on a visit visa; they may then have made various different applications, and an asylum application at a later point. There are issues and challenges. The reason why we made a number of

the changes in the Immigration Act that are being implemented is because we want to reduce the number of challenges. Equally, on humanitarian claims, they need to be made up front and clearly, so decisions about whether people can remain in this country are made in a much shorter time window.

Q46 Mr Winnick: Recognising those complex issues, which I don't challenge for one moment, you continue to say that they will be cleared up by the date given?

James Brokenshire: Yes. Sarah may be able to update you further on the progress that is being made. Recruitment into the asylum caseworking area has been ongoing for some time, to deal with an increase in asylum claims made over the past year and with the historical issues that we referred to. The work depends on meeting those time scales I outlined and I think it is important that we do so.

Q47 Mr Winnick: We have been told that before and by previous Ministers in various Governments. We shall see what occurs.

James Brokenshire: I understand and would expect the Committee to come back to us for regular progress updates, given statements previously made on this.

Q48 Chair: Minister, the reason Mr Winnick is rolling his eyes, metaphorically of course, is that we have heard all this before. We have had Ministers before us promising dates for things to be done. We note the fact that the date that you have chosen is the day after the House is dissolved for the general election. So, no, we cannot come back to you on 1 April 2015, as you will know. You will be in Bexleyheath, I will be in Leicester.

James Brokenshire: I hope I won't be in Bexleyheath because I'll be in the wrong constituency.

Q49 Chair: You will be wherever you are. You have had so many constituencies, I have forgotten. You will be in your constituency. We won't be here. Excuse our cynicism that you have chosen a date when Parliament will be dissolved to tell us that everything will be cleared. Obviously, it will be our successor Committee that will then deal with it.

Sarah Rapson: If I may, Chair?

Q50 Chair: Are you going to bring it forward? Make it 30 February—28 February.

Sarah Rapson: I want to ensure that the Committee gets the distinction that I would make between initial decisions—somebody who has not had a decision from us at all. When you were asking whether it was six months or how long, that is quite different from somebody who has been here for 12 years, who has probably had a

number of decisions from us already. Some have had as many as nine or 10. The Committee will know that I have talked to you before about the work that we are doing in the older live cases unit. The case you were describing, Mr Winnick, is probably one of those we are dealing with in that. We are on track to have reviewed all those cases by a different date, by the end of this calendar year—December. We are making progress on those cases.

Q51 Mr Winnick: For the Minister or Sarah Rapson, whoever wishes to answer, if someone has been here for 10 or 12 years, the likelihood of being removed is remote, but the person can't take employment. Basically, one way or another, a decision should be reached. Since it is likely at 12 or 14 years that the person is not going to be removed, one would have thought efforts would be made to reach a decision quickly now and start the process, where the person concerned could earn a living and not rely on public funds.

Sarah Rapson: Yes. By the end of this calendar year we will have reviewed all those cases and they will have had a decision one way or another: a grant or a refusal. In some of these cases, we will not be able to grant them or remove them, because we won't have documents to send them back to whichever country it will be, but they will all have had a decision on the case.

Q52 Chair: Sarah Rapson, take up the offer to come and visit one of our surgeries and sit there on a Friday evening and hear the kind of complaints we get. Ministers don't know about this because they don't accept letters from us, except from Sir Gerald Kaufman. Nobody else is able to write to the Home Secretary.

What Mr Winnick says is something that has dogged this Committee for seven years. We know you have a great interest in customer service but it is still not happening. The problem with service standards for people waiting that long, they don't understand the words "service standards", because it is a figure that you have chosen, consulting only yourselves, and you say that is how long it would take.

If somebody pays the full fee for an application for indefinite leave to remain, they can get a decision in 45 minutes, but people are not prepared to pay hundreds of pounds for a decision that takes 45 minutes, because that is how long it takes to consider an indefinite leave case. You have said so yourself in parliamentary answers to me.

Please, the customer service element is so important to this Committee and I know it is to you. This really does need attention. We are worried about your budget because you have the best will in the world and you always come before the Committee and you promise very important things about changes, but we wonder how you are going to do this, when you are going to lose half a billion pounds next year, and your computer system is not yet fit for purpose. We worry for you, Mrs Rapson, we really do.

Mr Winnick: Some surgeries are on Saturday mornings.

James Brokenshire: On correspondence, I see a number of items of correspondence that come across my desk from MPs and I find that gives a helpful and informative sense of some of the challenges and issues in the system.

Chair: Oh good.

James Brokenshire: I think that, at times, the early warning system that that can provide is important and that is something to reflect on.

Q53 Chair: Excellent. If we write to you with these cases, will you reply to us?

James Brokenshire: I certainly see correspondence from different Members of Parliament from across the House and sign a fair chunk of letters each week in respect of individual cases and on policy matters. It is part and parcel of what I already do.

Chair: It is a departure from your predecessors but we are grateful for that.

Q54 Dr Huppert: May I endorse the comments that have been made about the number of problems at my surgeries? You are very welcome to come and see them. Definitely, the biggest work load that I get at my surgeries is to do with delays in that, but that is not what I wanted to turn to.

Can I pick up this issue about abuse of student immigration? I think that, at long last, this may be a question for Mandie Campbell. I certainly hope so, at least. The Minister gave a statement a few weeks ago about clampdowns and removing sponsor status from universities and 57 private organisations. We all agree that we need to clamp down on abuse and wrongdoing but the decisions are quite major for the organisations involved. It is essentially an allegation of complicity and fraud. Would you agree that, as a matter of principle, there should be clear evidence of wrongdoing for the Home Office to suspend licences like that?

Mandie Campbell: I am afraid that suspension of licences would be Sarah's area. My responsibility is in relation to the criminal investigations associated—

Dr Huppert: And these investigations are not criminal yet?

Mandie Campbell: They are not.

Dr Huppert: I apologise. Sarah Rapson.

Sarah Rapson: The policy that we have allows us to suspend institutions on two grounds: if we have concerns that there is a threat to the immigration system, and if there is evidence to suggest that there is wrongdoing. On 24 June, as you pointed out, we suspended 57 private colleges, and a university and two other institutions

were not permitted to take on new students. We are continuing to work through those matters.

Q55 Dr Huppert: One of those was in my constituency—a company called Studio Cambridge—which found out via the statement that this was affecting them. I have seen the letter that was sent to them. It contains no suggestion of any kind of wrongdoing at all. It says it is because they offer a secure English language test, which, in fact, they do not offer. They have asked for more information about the sort of allegation. It says very nicely that they are welcome to respond and to comment about it but it does not, in fact, say anything that they could comment on, other than the fact that you have said they offer secure English language tests and they do not offer them. I have taken this up with the Minister's office. I hope you have seen that correspondence. I have had no response of any kind. What is going on?

Sarah Rapson: I am aware that you have an interest in this college. If it is the case that there is no issue, the sooner we get to the bottom of it the better. I am sure that is where you would want us to get to. However, we have information that says they were acting as a test centre for ETS and, at the same, were recruiting students. We have demanded that ETS give us the test data so that we can investigate it and as soon as we have that we will make a decision about whether we continue with the suspension or remove it. I am sorry that no one has come back to you, Dr Huppert, but we will let you know as soon as possible.

Q56 Dr Huppert: It is a fairly simple thing. They have been offering tests for an organisation that was one of the Government's trusted organisations. That clearly seems to be wrong. However, they do not offer the secure English language test. There are four components of that, as I am sure you know, and they have never offered those four components. They have offered individual sections of it, none of which could be combined to make something that could allow somebody to come in. We are talking about a period of weeks where, because as far as I can see the Home Office has misunderstood which tests they offer, they have been told publicly and the impression has been given that they have acted fraudulently. This has hit them around the world. I do not understand how it can take weeks, particularly when they have written to highlight this without any response, to find out the fact that they do not offer a test that could be used for immigration purposes.

Sarah Rapson: We need to get the test data from ETS to confirm that status and we have asked for that to be prioritised. I would hope that we would be able to clear up this matter as quickly as possible.

Q57 Dr Huppert: But it is hitting them; they have to print brochures and so on. What you are saying is that three weeks ago, when the statement was made, you didn't have any information on whether they were offering tests that were of concern. You are saying you are now trying to find out if they offered those tests?

Sarah Rapson: No. At that point the information we had was that they were acting as a test centre for ETS. What we need to do is have a look at the more detailed test centre data and determine whether that is actually the case or not.

Q58 Dr Huppert: They wrote to you to express this concern at the very beginning of July. Now, not quite three weeks later, how much longer are they going to have to wait for you to verify that what they have said is true?

Sarah Rapson: It's a good question. We have requested that they give us the data as soon as is possible and we will keep the pressure on. I do not have a particular date by when we will get the data from them, but I would expect it to be shortly.

James Brokenshire: The point is that this is a suspension, not a revocation. It is important to stress that. Such action is taken to enable the immigration system to be protected and safeguarded. The Home Office has the right to suspend in such circumstances given we had received indication that Studio Cambridge was a test provider for ETS while being a tier 4 sponsor as well. Therefore, it is important that we validate the information from ETS to confirm the factual situation and to look at the test results that Sarah has mentioned in respect of this, so that if the evidence points to no wrongdoing, obviously, as a suspension, it can then be lifted. It is important that we have this process in place to ensure that we have robust protection of the immigration system.

Q59 Dr Huppert: You are effectively saying to British businesses that without any actual evidence of any wrongdoing by them, without actually finding that they are offering the secure English language test that is needed, you are prepared to take actions that hit their international reputation and cost them a very large amount of money. That is the consequence of what you are doing, without any allegations about them.

James Brokenshire: No. To safeguard the immigration system, we are prepared to action where there is indication of a potential issue. I think that under our tier 4 policy guidance the Home Office is clear that we are enabled to do that in those circumstances. Obviously, I want to see an issue like this resolved as quickly as possible. Part of that relies on further evidence being provided by ETS to validate and confirm the situation. I would certainly want to see matters resolved, such that a decision can be taken as to whether suspension either can be lifted or more formal steps be taken if evidence is made out—

Dr Huppert: It is astonishing that you, Minister, were prepared to take such action without anything actually connecting them, and I hope it can be cleared up. I do not understand why it has taken three weeks to find out that the people you have publicly named have in fact done nothing wrong.

Q60 Chair: I find it astonishing that you just told the Committee to write to you on cases, yet Dr Huppert wrote to you and to your office and did not receive a reply. One of the most important things is that Ministers reply in a timely manner to Members when they raise issues of this kind. What creates a paper trail is when we don't get a reply, so people come to see us again, we then write another letter and we clog up the system. I hope you will be able to reply to him in a timely fashion.

James Brokenshire: There are two things here. Sometimes a decision must be taken as to whether you should wait to get substantive information to be able to reply in a substantive way, because, equally, I think Members of Parliament would find it frustrating if we were to simply write back and say, "We will come back to you once we know what the situation is", or "Further investigations are in train." That is the balance to be struck because at times it may make sense to wait a little longer to be able to provide a substantive response, rather than an interim response that may not provide the substantive decision or answer that an MP is looking for. I recognise the importance of providing timely responses; I recognise that as an MP when I make inquiries of other Departments as well. We are seeking to strengthen our approach to MP responses—some of those letters may be signed by me and some, obviously, by the directors general as well—so that we are providing a stronger system for Members of Parliament, which is why we have the MP account managers, who also help to facilitate that.

Chair: Indeed. I am sorry to have interrupted; I just wanted to get that on the record.

Q61 Dr Huppert: Yes, I was interested in some of that, but I will move on. I hope this is cleared up extremely promptly, because it is causing a huge amount of harm.

Many of us were quite pleased when the Government agreed to take refugees from Syria. Again, I'm afraid this may be a question for Sarah Rapson. The UNHCR has called for 130,000 people to be taken. I understand that the British Government, having said that they would take many hundreds, have now taken 50. What fraction is that of the 130,000 who need to be taken?

James Brokenshire: I responded to a Westminster Hall debate on this the other day. Yes, we have taken 50 people under the Syrian vulnerable persons relocation scheme. That reflects the commitment that the Government made that we would take several hundred vulnerable Syrians—the most vulnerable people in need of assistance—over the three-year period, with three or so families arriving each month as part of that, given the distinct needs and requirements that those individuals have, to ensure that they receive the support upon their arrival.

Q62 Dr Huppert: Minister, you will remember the debates that we had in the House in which views were expressed across the Chamber that it was something we ought to do to

help people. Do you think it was the will of Parliament, when we had those discussions, that three families a month would be taken in? Do you think that was the scale that anybody was envisaging, or is this an example of agreeing to the principle and doing as little as possible?

James Brokenshire: No, I think that the Government were clear on what we were seeking to do, which was to take several hundred people over the three-year period. I am sure that we said that in terms at the time that the announcement was made. We are giving £600 million in aid to the region. We believe that the right solution is to deal with this in-region, hence the hundreds of thousands of people who receive support as a consequence of the aid that the UK Government are providing. We did decide that for those people most in need of assistance, whether that be medical or as a consequence of trauma that those individuals have been through, there would be this scheme—the vulnerable persons relocation scheme—to be able to provide that assistance in those most acute cases.

Q63 Dr Huppert: You are clearly adamant that you want to keep it as tokenistic as we can. I have one last question—

James Brokenshire: It's not tokenistic.

Q64 Dr Huppert: About family migration. There was a court case involving the Home Office. Again, I'm afraid this one is for Sarah Rapson. For quite a long time now, there has been a delay in processing family migration visas, because of the ongoing court action. That means a lot of people are caught up relatively unfairly while this happens. Will you be able to say now that the processing of these visas will happen promptly?

Sarah Rapson: Are you talking about the Javed cases?

Dr Huppert: Yes, that's right.

Sarah Rapson: This was the Court of Appeal judgment upholding the lawfulness of the minimum income threshold. As you rightly point out, a number of cases—most of them are overseas, actually—are on hold, pending that decision, so we will now process all those cases. I should say that they are on hold solely because of the income threshold aspect to them, so you should expect the vast majority of them, unless there is additional new information, to be refused.

Chair: Michael Ellis—I have saved the best for last.

Q65 Michael Ellis: Thank you so much, Chairman. Let's just take a step back for a moment. The issue of jargon has been put to you, Minister, Ms Rapson and Ms Campbell. Some jargon can be difficult and unhelpful, but what's important when it comes to IT is this. Successive Governments have not been particularly successful in their IT purchases, I think it's relatively fair to say. What you are saying, Minister, is that a new approach has been

taken. Instead of the purchasing of huge computer systems to cover entire Departments in one go, they are being brought in in stages, so that the capacity and capability of them can be tested and errors are discovered before huge sums of money are outlaid. Is that right?

James Brokenshire: That is the approach that's being taken.

Q66 Michael Ellis: That's basically what is meant by agile—

James Brokenshire: As I say, I don't necessarily like the term "agile". It is one that is doing the rounds at the moment, but it is—

Michael Ellis: But that is basically what it means. It is sensible, relatively small-scale purchases, so that we are testing the system before it breaks.

James Brokenshire: Equally, that means you are not bound into one huge contract with one contractor, which is an important point to make.

Q67 Michael Ellis: Yes. I would now like to have a look at this word "backlog", which causes some concern. If you or I were to receive an e-mail today and we have not responded to it by tomorrow, that may not necessarily be considered a backlog if we expect to respond within a few days. Is your case this? The Home Office considers applications received any time from today to six months from today to be within the time limit for responding within the normal scale of the business of the Home Office in respect of immigration. Only if a case has been received and it has taken more than six months is it outside the so-called service standards and can be considered to be outside what is normally considered to be acceptable. Is that a fair appraisal of the situation?

James Brokenshire: I think that is a synopsis of the approach that has been taken, yes.

Q68 Michael Ellis: Do you agree, Ms Campbell?

Mandie Campbell: This is not my side of the business, unfortunately.

Q69 Michael Ellis: Remind me what side of the business is yours.

Mandie Campbell: I deal with enforcements.

Q70 Michael Ellis: And Ms Rapson, do you agree with that?

Sarah Rapson: I agree with that completely.

Michael Ellis: Can I move on to enforcement, Ms Campbell, the issue Dr Huppert raised, which is this business of universities and private further education colleges that have had their sponsor status withdrawn because of an apparent abuse of English language tests for overseas students. Is this a problem that you see as endemic or is it under control?

Mandie Campbell: I am sorry, but again withdrawal of licences for sponsors falls into Ms Rapson's side of the house.

Q71 Michael Ellis: I see, right. Ms Rapson?

Sarah Rapson: Since 2010 we have closed down or rather taken off the sponsor register over 700 educational institutions. That culminated with 57 private colleges a number of weeks ago. In fact, last Friday another six colleges were taken off the sponsor register.

Q72 Michael Ellis: So on what basis are these colleges and places of further education getting their licences withdrawn? What sort of proof, what rationale does there tend to be before that sort of decision is made?

Sarah Rapson: It is typically where we've got evidence that people are not attending courses. They may be working illegally. They may well be leaving the courses early. So there is a whole set of factors that gives us concern that perhaps these people aren't actually behaving as students.

Q73 Michael Ellis: As a general rule, how do you find out about a place that is offering a bogus course and there are no students there to take the course?

Sarah Rapson: We have a rolling programme of inspection. Where we suspect abuse we will typically do an unannounced visit. We have done many more of the unannounced visits on those where we have evidence of the fraudulent English language testing. So there is an assurance regime where we will look at certain records that the institution will hold and take action accordingly.

Q74 Michael Ellis: So these places are carrying out frauds on the taxpayer, effectively. They are purporting to offer a service that they are not offering with a view to defraud the British taxpayer out of its proper processes. So it seems to me that it is at least arguable that criminal offences are being committed in some cases. Are any prosecutions being launched against these places, Minister?

James Brokenshire: I should say that as a consequence of the ongoing investigation into ETS, the previous provider, there is an ongoing criminal investigation, as I think I

referenced at the time. That is a separate line of inquiry from the work that Ms Rapson has spoken about in terms of the licensing. Yes, there have been a number of arrests linked to that ongoing investigation and that continues. Therefore, if we can show that there is evidence, immigration enforcement will pursue that.

Q75 Chair: Mandie Campbell, I do not want you to think that you have come all the way here for us not to ask you questions. Of course, we know that you deal with enforcement. Let me ask you this in respect of what Mr Ellis just said. In respect of the removal of licences—we know that that is not your portfolio, but you do deal with enforcement—has anyone been removed from this country as a result of the removal of status from the three universities and 57 colleges? If so, how many people have actually gone?

Mandie Campbell: Yes, significant numbers have been removed.

Q76 Chair: We like to be more precise. How many people?

James Brokenshire: Perhaps I can give you some figures?

Q77 Chair: I am surprised that the head of enforcement doesn't know this.

James Brokenshire: We will be working from the same figures. As of 30 June, we have made 1,800 refusal and removal decisions in respect of the cohorts that are there. We have conducted almost 800 enforcement visits, served these removal notices in person and detained more than 300 individuals and removed more than 90 individuals linked to ETS certificates.

Q78 Chair: That is extremely helpful; thank you for your transparency. Let us get this absolutely right: 90 people have been removed.

James Brokenshire: Thus far, as of 30 June. To complete my answer to Mr Ellis as well, I should say that as at 18 July, in respect of the criminal investigation there have now been 18 arrests.

Q79 Chair: In respect of the case that has been in the public domain concerning the former Immigration Minister's cleaner, Isabella Acevedo, we understand that 15 immigration officers turned up at the wedding of Ms Acevedo's daughter and arrested her and that she is now in detention. Is that correct?

Mandie Campbell: Ms Acevedo is in detention—it is not the daughter, who was getting married—

Q80 Chair: I said the daughter.

Mandie Campbell: No, the daughter is not in detention.

Q81 Chair: I said that she was attending the marriage of her daughter; I didn't think that you had taken away the bride.

Mandie Campbell: No, we didn't take away the bride, but we did arrest the lady. We also arrested another individual who was present at the wedding and in the country unlawfully.

Q82 Chair: What I find strange is that you needed 15 immigration officers and a number of police officers to go to this wedding to detain a woman whose address you clearly knew at the time, when she was presumably dismissed by Mr Harper, in February. Why did you send what looks like 20 people into this wedding? Did you think that she would run away?

Mandie Campbell: We were not aware of her location at the time. We visited the last addresses that were known for her and she was not present at any of them. We continued to search for her and we were then notified by a registrar of a potential suspicious wedding that involved the lady's daughter who was also in the country unlawfully. As a result of that notification, we mounted an operation to go to that wedding in order to apprehend both people.

Q83 Chair: So you were aware of where she was—you said that you were not.

Mandie Campbell: No. We had an original address for the lady, but she was not present at that address.

Q84 Chair: So 15 immigration officers and five police officers were looking for this woman.

Mandie Campbell: Not just for that lady. There was other information about other people who were potentially present unlawfully who would be at the wedding. As I explained, a further individual was arrested at the wedding who was also here unlawfully. And the bride herself, who was also in the country unlawfully, was also subject to enforcement proceedings but not detained.

Q85 Chair: Is it normal that, when you go off to arrest people to get them removed, you have 15 immigration officers and regular police?

Mandie Campbell: Every visit is subject to a risk assessment based on the number of people that are expected to be present and the potential disruption. For this particular case, because it had obviously been high profile, we had previously visited

a number of addresses given to us to search for this lady where allegedly she was living, but she was not. We therefore went to the wedding on the basis of a risk assessment of the number of people that we thought we might encounter.

Q86 Chair: It sounds a bit Keystone Cops that you have all these immigration officers searching around. Which part of the country was this?

Mandie Campbell: We visited addresses in London. We previously reported that, during the course of those visits, we located the lady's husband. He was detained and removed from the country, but the lady and her daughter were not present at those addresses.

Q87 Chair: The Committee will publish a report on Friday on sham marriages and I hope you will look at it carefully. Could you tell us how many people have been removed from the country this year who were about to conduct a sham marriage or were present at one?

Mandie Campbell: In the last financial year—to the end of March—we intervened in just over 1,300 weddings where we had reports that it was potentially a sham marriage. We made over 720 arrests at those weddings. That is a significant increase—double the numbers the year before.

Q88 Chair: Why has there been an increase?

Mandie Campbell: We continue to work with registrars to educate and encourage them to report their suspicions to us. That has been a very productive relationship over the last few years, and the numbers of suspicious reporting from registrars have risen significantly in recent years. You will of course be aware of the new Immigration Act provisions. We are very confident that those reports will now continue to rise and that we will see ever increasing numbers of interventions in sham marriages.

Q89 Chair: Thank you for those figures; they are very helpful. Of the 720 arrests in the last financial year, how many people have been removed from the country?

Mandie Campbell: Of those 725 arrests, we have removed 111 people, but not all those arrests are necessarily in relation to someone who was here illegally. It might also be someone who was facilitating that arrangement.

Q90 Chair: If you look at the number of arrests and the number of weddings being disrupted, is that a reasonable figure?

Mandie Campbell: In relation to removals?

Q91 Chair: Yes.

Mandie Campbell: People will make a number of other claims once they are apprehended in order to frustrate removals. While we may have intervened in that particular circumstance, it is not unusual for people to make claims on the basis of other reasons to frustrate removal.

Q92 Chair: Before I stray on to the Committee's report, which is confidential until Friday, I will ask you about the crossbow stalker case, which I am sure you are aware of. There are obviously some issues on policy, Minister. Mr Sedwill came before this Committee and apologised to the family concerned. We are keen to find out, Mandie Campbell, whether we have learnt the lessons. The Home Office has had to pay out £130,000 in compensation. The Prime Minister downwards have been urging people to report allegations. Indeed, I have written to you about a number of constituents who say that marriages are sham marriages or people are trying to get into the country unlawfully. I am not satisfied at the moment that your section has got to grips with this issue. Are you satisfied that you are dealing with all those allegations in a timely way? In the crossbow case, it was put on the computer but no one followed it up.

Mandie Campbell: In that particular case, there were clear failings and changes have been made to processes to guard against similar failings. We have been developing a new online system to enable people to directly report their concerns about immigration matters to us.

Q93 Chair: Yes, but the problem in that case was not that it was not reported; it was that it was logged, presumably within service standards—48 hours—but nothing happened afterwards. How do we know that the bit afterwards is happening?

Mandie Campbell: The new immigration management system has been designed so that if you are a member of the public and you go on to that system and say you have information about someone arriving on a particular flight, the system will automatically send that information to the Border Force intelligence hub, which is a 24-hour operation. They have changed their procedures and processes to ensure that they are continually looking at the type of reporting coming in to ensure that they are in a position to make an interception if required. I cannot say that everything will work in every case, but we are constantly examining the system and looking at how we can continue to improve it.

I know that we have had exchanges on information, Chair, but with the new system we are asking for more specific information, where available—

Q94 Chair: Which is what? A person's date of birth or passport number?

Mandie Campbell: Not necessarily. About 30% of the information that we get in through standard allegations is actually non-actionable. It has so little data in it or is not attributable that we cannot do anything more with it, which is fairly common. Crimestoppers, which is a comparable type of operation, also receives a quantity of non-actionable intelligence. There is another 30% of information that we can develop further intelligence on, but does not lead to specific action. Of the remainder, we pass that information out to enforcement or criminal investigation teams with a view to us taking specific action. Looking at the last financial year—to the end of this March—the quality of information and reporting and our action is getting better. On the basis of actionable intelligence over that calendar year period, we had more than 6,000 arrests, which is more than 11% against the actionable intelligence. That compares with Crimestoppers' published information to police arrests, at about 7%.

Q95 Chair: That is a very helpful explanation. I did not want to stop you giving it because it is very important. The Committee feels that allegations being made and illegal immigrants being removed is a critical area. Will you take a budget cut next year?

Mandie Campbell: Along with all parts of the Home Office, we are under budgetary pressure, as the Minister has explained.

Q96 Chair: We know that. That is the Minister's explanation. Just tell me what you are going to lose.

Mandie Campbell: I do not yet know the extent of the budget reduction for next year, but I anticipate that I will be required to reduce my budget significantly.

Q97 Chair: Minister, I know you echo Mark Sedwill's apology to the Committee, because it is a terrible case, but may I ask you one more question before we move on to passports? Regarding the Government-imposed threshold of £18,600, the Government have just won in the Court of Appeal—I am not sure whether there is an appeal available to the Supreme Court—so what will happen to all those cases in which a person's income was below £18,600 at the time of application, but they have since had a pay rise or have changed jobs and therefore earn more than £18,600? They keep coming to our surgeries and we keep writing to our account managers, but up until now they have said, "Wait for the court case." Do people need to reapply if their income has gone above the limit or are you going to reconsider existing cases?

James Brokenshire: With your permission, I will first comment on the case and then answer the second question, because I do want to echo Mark Sedwill's comments

about the case and the report from the Parliamentary and Health Service Ombudsman, which highlighted the unacceptable institutional failures. Ms Campbell has obviously provided some indication as to the steps that have now been taken, which is important to note and underlines the rationale for our scrapping of UKBA and the moves that we have now taken with the different directorates, but a senior civil servant has also been appointed to review the effectiveness of the Home Office systems and processes. That is something that Mark Sedwill is taking forward in respect of the recommendations from the ombudsman's report. It is important that the key recommendation is being pursued further, for the understandable reasons of giving assurance to Ministers and to the Department about that case. I just wanted to underline that and the seriousness with which I take that decision to the Committee.

On the family immigration case and the Court of Appeal judgment in relation to MM, which was the name of the case, the court ruled in the Government's favour in upholding the threshold set by the Migration Advisory Committee. At that time—I am sure you will recall, Mr Vaz—the decision was taken as a result of the independent input we had from the MAC.

There are around 3,134 family visa applications and 507 leave-to-remain applications that were on hold following—

Chair: Could you repeat those figures?

James Brokenshire: Of course—this is as of 31 March. There were 3,134 family visa applications and 507 leave-to-remain applications that were on hold following the July 2013 High Court judgment, as they failed to meet the income threshold—£18,600. Obviously decisions will now be taken on that. If, on the evidence presented to us at that time, the income threshold was not met, the decision would be negative in those cases. It is therefore open for people to make further applications if their circumstances have changed.

Q98 Chair: So they would pay a new fee and reapply with the new documents. There is no point in them sending in additional evidence, is there? They have to make a fresh application.

James Brokenshire: It is, in the circumstances, a fresh application, because UKVI can make a decision only on the original documents provided to it. Sarah will correct me if I am mis-stating that, but that is my clear understanding of the position.

Sarah Rapson: I am not sure that I have any additional information, but if that is not the case, perhaps we will write to the Committee.

Chair: Let us move on to passports. This is our final section. I promised Mr Flynn the first bite of the cherry.

Q99 Paul Flynn: You are aware that we are looking at the Passport Service. We have interviewed Mr Paul Pugh, who has been running the Passport Service for a relatively short time. Do you accept, Ms Rapson, that decisions you took on closures and reducing staff had an effect on creating the present crisis?

Sarah Rapson: No, I don't. I think we made the decisions to restructure the organisation back in 2011, with the best information that we had at the time. Each year before that, and since then, the Passport Service has consistently been one of the top-ranked public service organisations for customer service.

Q100 Paul Flynn: For which you were suitably rewarded with a promotion to your present job. But there are 150 people in Newport who lost their jobs as a result of your decision. Some of them are now being called back in. Do you see a reason in saying, having cut the service down to its present emaciated state, where it goes into a serious crisis because there is a sudden increase in demand, that it was not the right decision and that it is not fit to deal with increases in demand? There isn't an MP in this House who hasn't had dozens—sometimes hundreds—of people who were in danger of losing their holidays. Huge costs have resulted from that, and you are still saying that you did nothing wrong in cutting the service down to the level that it is now.

Sarah Rapson: At the time I made the decision to reduce the Newport office, it was where we had too much capacity. I think it was necessary to do so. I would say that in 2012 and 2013, we continued to meet service standards and deliver a service to customers. It seems that what has happened this year has been quite extraordinary levels of demand over a sustained period.

Q101 Paul Flynn: Since that time, the standard was increased. There were increases in standards since the time of your cuts. But you still take no responsibility for it. Who do you think should be blamed?

Sarah Rapson: I don't think that is for me to say. In each of the years that I was either chief executive or operations director at the Passport Office, the season was handled well. Customer satisfaction was high. It seems to me, from the outside—don't forget that I have been away from the Passport Office for well over a year—that those levels of demand were quite extraordinary.

Q102 Paul Flynn: It was very wicked of the public to make demands of that kind. I am sure we are going to blame them in the report for having the effrontery to demand passports to go on holiday.

If I have understood the concept you have of your own infallibility, closing the Newport passport office was meant to get rid of 150 jobs and make an annual saving of £2.6 million a

year. There was a £1 million overtime bill in the Passport Service in May alone this year, and there will be an increase of at least £5 million in the overtime bill. There will be a bill—so far uncosted—of tens of millions, probably hundreds of millions, to compensate those who lost their holidays and had to go on journeys to far corners of the country for compensation, which will have to be paid. So there will be a massive bill to pay to save a tiny amount of money—£2.6 million. Was that not a mistake by you?

Sarah Rapson: I'm afraid, Mr Flynn, that I don't accept the premise that the changes made to the Newport office were the cause of the issues that the Passport Office is dealing with today.

Q103 Paul Flynn: What was the cause, then?

Sarah Rapson: I have not been working at the Passport Office for 15 months, but it seems to me, from the outside, that the levels of demand since January have been extraordinary and sustained.

Q104 Paul Flynn: You left the Passport Service in a condition in which it could not cope with the higher demand. That's the truth, isn't it?

Sarah Rapson: I would say to you that following those changes to Newport, in 2011, 2012 and 2013, in the seasons in which people apply for their passports either in time or just before they go on holiday, we managed to keep customer satisfaction at very high levels. I don't accept that a decision made in 2010-11 had an impact in 2014. It seems to me, from the outside, that those levels of demand were really quite extraordinary.

Q105 Chair: Thank you, Mr Flynn. It is an agency, of course; although you are responsible in the end, you are not operationally in the same position as you are today with the two directors next to you. When did you first discover that there was a huge surge?

James Brokenshire: The chief executive of the Passport Office said in March that they were seeing increases in demand. They said that they were putting in place, and had put in place, additional measures to address it, and that they remained confident that they would be able to deal with the demand for passports.

Q106 Chair: Since then, you and the Home Secretary signed off a number of emergency measures to ensure the situation improved, because it didn't get better in March. As you know from the large amount of public concern, it got worse; more and more applications were made. Although one accepts that one particular issue may not have affected the number of additional passports, the Committee was concerned to hear that successive Ministers—not you, but your predecessor and his predecessor under the previous

Government—signed off the decision that applications from abroad should be dealt with in this country. Mr Pugh, in his last annual report, gave the public a prediction lower than the figure that it ended up at by about 50,000. There was clearly a forecasting problem as well as a combination of other issues.

To come to Sarah Rapson's defence, I can remember where I was when she was appointed head of UKBA—rather like when Kennedy was assassinated. I was outside this room when the Home Secretary rang me and said that Sarah Rapson had been appointed. I said that she must have been doing a good job, because the head of the Passport Office had never appeared before the Home Affairs Select Committee. She was duly appointed to take over UKBA. Since then, of course, we have had this crisis. It is a combination of issues, is it not? It is not only stopping applications from abroad, but the closure of certain offices. The worst part is that today they published their report, which showed that they made a surplus of £56 million. The public are not going to be very pleased about that.

James Brokenshire: I think that it is right that we have asked the permanent secretary to examine two things, including the issues that lay behind the increased demand. I think there are issues on forecasting, and that is something that the Chief Scientific Adviser at the Home Office is also assisting on, in terms of analysing the forecasting moving forward in relation to the Passport Office.

It is important to put this in the context of demand, which has been extraordinary, which has not seen for 12 years, and therefore to recognise that. Despite the huge challenges it has faced, the Passport Office has responded. I can say to the Committee that, for example, current work in progress—I know Mr Pugh reported on to this Committee and we promised that we would update the Committee in relation to this—stands at 403,959. That is how it was at 21 July.

Q107 Chair: So it has gone down since Paul Pugh appeared before us.

You still have full confidence in Paul Pugh? Is he unassailable?

James Brokenshire: Yes, I think Mr Pugh has performed well in taking this issue and actually leading his team to deal with the task at hand, which is to see that people's passports are returned to them in time for their holidays. That is obviously—

Q108 Chair: So you are over the worst.

James Brokenshire: I think that we are certainly seeing the work coming down now and seeing the demand levels coming down, and also the output is around 170,000 to 180,000 per week to meet those requirements.

Q109 Chair: When Members raise issues with Mr Pugh's office—in particular with Farooq Belai, his senior executive assistant, whose name I have liberally given out in the Tea

Room—they are very pleased with the service that they get. When Members have rung your private office, there has been a good response. However, not all the public decide to ring up their MPs—it is not that we are complaining that we need more work. When they come to their MPs and we raise cases, they are dealt with very quickly. I have here a total of 281 e-mails from people who are still not satisfied that they are getting their passports, which we will give to you, because I promised that if these were handed to the Minister, I was sure that they would all get their passports in time for their holiday.

Mr Winnick: By the end of the week.

James Brokenshire: As you know, Mr Vaz, we put in place the—

Chair: Is that all right? Will you take them on?

James Brokenshire: Certainly, having been presented with this list, obviously I will take this away and ask that it be pursued. What I would say, though, is that you will be aware that we put in place the seven-day free upgrade, and I can tell the Committee that 16,733 people have received free upgrades through that process, so there is work that the Passport Office has done. To take Mr Flynn's point, this is not in any way about blaming the public—far from it. There was excessive demand in that sense of—

Q110 Chair: No, but you blamed the Chancellor. You said that because of the success of the economy, everyone wanted to travel, so you were blaming George Osborne.

James Brokenshire: We have seen this increase in the number of passport applications that has been sustained since the start of the year. Obviously, the forecasting needs to be examined carefully, in terms of what changed and what the differences are, and we have put in place the additional measures and also the additional people to assist in managing this. Clearly, once we are through the peak period, we will reflect further on the issues of what happened and whether the Executive agency status, which I know this Committee has focused on as well, has contributed in any way. It is right that we reflect on that in an informed way, once we are through this busy period of the summer.

Chair: Thank you.

Q111 Mr Winnick: If a passport office closed in my constituency, I am sure that I would take the same view as Mr Flynn. Just to put the record straight, Minister, whatever the Passport Office did then or now, the fact is that it would be under ministerial policy—it would not be the initiative of whoever happened to be in charge of the Passport Office. That person—that official—whether Sarah Rapson or Mr Pugh now, would obviously, whichever Government were in office, work within the framework of ministerial policy.

James Brokenshire: Obviously, as an Executive agency, the Passport Office has a slightly different status to the position of the directors general you have had before you this afternoon, so it is in a slightly different mechanism in terms of the ministerial relationship that we have. It has a separate board and non-executive directors, and it is constructed in a slightly different way. Obviously it will still inform. Its operational approaches are obviously run by its board and management team, and it is these issues that I think we will reflect on further in the context of how all this fits together.

Q112 Mr Winnick: Be that as it may regarding the Passport Office being organised along the lines you have just said, there is overall ministerial or Government policy on funding which, obviously, would affect the Passport Office as anyone else.

James Brokenshire: On funding, the Passport Office has to agree with the Treasury. It is forecast on demand, and therefore the charge that is made, but the intent is not to make a surplus, but to come from a break-even position. Looking back over the different years of the Passport Office, there have been years where it has made a surplus and years when it has made a deficit. Obviously, forecasting is an important part of this.

Mr Winnick: Yes, so obviously the Passport Office, as you have just said, would negotiate with the Exchequer or the Treasury along the lines you have just mentioned.

Can I just put on record, Chair, that as far as Sarah Rapson is concerned, I have always found her, when she is giving evidence, including today, highly courteous in answering our questions? That is the case when I have a private conversation with her, and certainly when writing to her on behalf of constituents, I have always found a very prompt and courteous reply, and I am sure that applies to many Members of Parliament.

Chair: I fully endorse that. Sarah Rapson, I think you should put that in the bank immediately and use it in future years, but I do endorse that. Let us just have a final question from Julian Huppert.

Q113 Dr Huppert: I would echo comments that mostly, when there have been problems with passports, they have been sorted out quite well. I have, however, one constituent who applied in mid-June for a passport to travel at 6.30 today. During that time period, she was told that she needed to send a birth certificate, then told she did not, and then that she did. My office got involved and was told different things on a whole series of occasions, then told something different about a birth certificate, and then told it was a different office. Then they were told it was being sent and they lost the tracking number, so they were trying to send it again the next day—there was a whole series of problems like that. In the end, while we have been sat here, she has received the passport, having been told not that long

previously that there was no chance of her getting it today. It has been a very exciting holiday for her.

Minister, I do not expect you to comment on the specific details of this one, but my office has repeatedly been told different things, and then people do not seem to be logging what is happening. If I send a list of what has happened, will you make sure that somebody looks into it so that nobody has that experience again?

James Brokenshire: I can give you that assurance of looking into this. I have apologised for the inconvenience, and indeed the stress—I know that people will be worried about the provision of their passports. It is why we have put a lot of focus on seeing that people are able to receive their passports in order to travel for their holidays and the changes that the Home Secretary and I put in place, but I would be interested to see the chronology of that case to understand it and establish why conflicting information has been given to your constituent, so please would you send that through?

Q114 Chair: Excellent. A very brief final question for a brief answer. It would be wrong of us not to ask you this, since we have asked it every time you have appeared: are you going to meet your net migration target by the time of the general election and bring down net migration below 100,000?

James Brokenshire: As I have said, I think on the previous occasion I was at this Committee, our focus does remain on bringing net migration down from the hundreds of thousands to the tens of thousands.

Q115 Chair: Are you going to meet the target?

James Brokenshire: That is where the work continues to focus to achieve that. Yes, work continues on that net migration target, because it is about a sustainable immigration system, and I believe that immigration levels into the hundreds of thousands are not sustainable because of the pressures that puts on public services, the issues of integration and the speed and rate of change, and what that means for our communities.

Chair: So, not quite a yes.

Mandie Campbell, James Brokenshire, Sarah Rapson—with Mr Winnick's endorsement ringing in your ears—may I wish you all a very happy recess, and we look forward to seeing you again?

James Brokenshire: May we wish you and the Committee a very peaceful recess as well?

Chair: Thank you.