

Home Affairs Committee

Oral evidence: [The Work of the Immigration Directorates \(Q2 2016\)](#), HC 651

Tuesday 6 Sep 2016

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Members present: Tim Loughton (Chair); James Berry; Mr David Burrowes; Nusrat Ghani; Stuart C. McDonald; Mr Chuka Umunna; Mr David Winnick.

Questions 1-78

Witnesses

I: Robert Goodwill MP, Minister of State for Immigration, Sarah Rapson, Director General, UK Visas and Immigration Directorate.

Examination of witnesses

Witnesses: Robert Goodwill MP and Sarah Rapson.

- Q1 **Chair:** Minister, Ms Rapson, thank you very much for coming. You will have noticed that there has been a change of regime and the Chairman of the Select Committee has tendered his resignation today. He remains, technically, the Chairman of the Select Committee until the Speaker has formally announced his resignation. We made an announcement earlier about that and the Committee has nominated me to act as the interim Chair until the election of the new Chair takes place, probably in October. So if you are hoping to see Mr Vaz, we are sorry to disappoint you, but we will endeavour to keep standards up as much as possible.

Minister, welcome, for the first time, to this Committee and congratulations on your new appointment. You will find us a very friendly but robust Committee. You wanted to make a short opening statement.

Mr Goodwill: Just briefly to thank you for inviting me so early in my tenure as Immigration Minister to meet you and engage with your Committee. I have to say, having spent quite a lot of the summer reading into this job, that the more I learn about immigration, the more I find out there is to learn, so although there is no excuse for a Minister not knowing the answer to every question, that may be the case on the odd occasion this morning.

I pay tribute to my predecessor, Mr Brokenshire, who has done a marvellous job and has handed the baton to me at a very exciting and interesting time. I read on one website that you intend to grill me this afternoon. I hope that we can have a constructive engagement. There may be times in future when you do need to grill me, but I hope that you will be able to help me do my job in the same way that I can help you do yours. Thank you.

- Q2 **Chair:** Thank you, Minister. As I said, we are a fair but robust Committee and it has always been the tradition to get the best out of witnesses, which we do courteously and constructively, without resorting to violence, or whatever.

I think this is going to be your last appearance in front of us in your current role, Ms Rapson, so this will be your swan song. I do not know whether you are feeling very demob happy—

Sarah Rapson Not yet.

Chair—but we will see what you have got to say in support of the Minister.

We want to cover quite a lot of subjects. We will need to finish by 5 o'clock. Mr Berry has to leave us earlier and I am not sure when the next vote will be. The votes and the fire alarm interrupted our proceedings rather unhelpfully earlier, but we are back on schedule now.



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Minister, before I go on to colleagues on specific subjects, perhaps you would just want to outline some of the big challenges you think you have inherited and where your priorities are now going to lie over the coming months. We will go specifically on to the subject of Brexit shortly, but that will no doubt be a large part of your “to do” list. Just give us a run-down of where you think you are going to be concentrating most of your time.

Mr Goodwill: Glossing quickly over the whole Brexit issue, which I suspect will be the single biggest issue, not just for the Home Office in terms of immigration, but right across Government—we are certainly keen to engage with other Government Departments, but the Home Office will be the lead on immigration in terms of the Brexit approach—I think the big challenge is our target to reduce immigration to sustainable levels. Sustainable levels in terms of net immigration are 10s of thousands, rather than the hundreds of thousands that we see at the moment. It would be a let-down to the people of this country if we were to try either to fiddle the figures by taking students out or to resile from that particular objective. That is our clear objective.

We intend to pursue every visa route that we can to reduce those numbers. As part of the Brexit negotiations we will be endeavouring to deliver the result of the referendum, which made it quite clear that we need to limit numbers of people coming from the rest of the EU. That will be our objective in those negotiations.

The migrant issue is another one very high on the agenda and the problems in the camp at Calais. We are engaging with that. The Home Secretary has been to see Bernard Cazeneuve. I intend to visit Calais very soon to help the French with that particular problem, which is a problem on French territory and is primarily a French issue. But we are engaging with our French colleagues in a very positive way with the help that we can give in terms of security and identifying some of the vulnerable children there who have family connections in the UK, so that we can get them as quickly as possible into the UK in a safe place.

One frustration I have found is that there is a route that children can take. They should apply for asylum in France. They can be taken to a safe place and then, using the Dublin process, those children can be brought to the UK. One frustration, which I know the NGOs share and want to work on, is to get those people engaged in that particular process.

Obviously, further afield, we have the policy around the 20,000 Syrians, the most vulnerable being brought to the UK. It is important that, whatever we do in terms of the migration issue, we do not create any pull factors. We have had quite a lot of speculation about the different things that we could do. There must not be a pull factor. That is one of the big issues.

Returning people, particularly criminals, to countries where it is difficult to return them, returning people who are illegally here, is a big challenge. I was in Nigeria last week getting an agreement on biometric data



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recognition, so that we can release from prison and deport people to Nigeria, or other people that we need to deport.

That is a smattering of the issues that are in front of us.

- Q3 **Chair:** Thank you for that. Can I come back on a couple of specifics? You started talking about “sustainable levels” of immigration, which I thought was going to be a new phrase, in place of the reducing to 10s of thousands.

Mr Goodwill: It is as well as. They are not mutually exclusive: sustainable levels means in the 10s of thousands.

- Q4 **Chair:** So the Government are sticking with their 10s of thousands target. To be achieved by what timescale now, given that it was not achieved in the previous Parliament when it was deemed to be the task?

Mr Goodwill: You are going to hate this answer: as soon as we possibly can. That is my objective: to do it as soon as we possibly can. Some of the factors are within our control; some of the factors are not within our control, which would make it difficult.

- Q5 **Chair:** Okay. So, any net migration figure in excess of 99,999 will be deemed as unsustainable in the Government’s new terminology.

Mr Goodwill: Yes and, indeed, when we look at sustainability it is looking at the way that communities can absorb large numbers of people coming in.

Chair: That is clear.

Mr Goodwill: The health service, housing, all those areas—that is the sustainability factor. It is quite clear, not least from the result of the referendum, that many people saw the type and the levels of people coming in to certain areas as being unsustainable.

- Q6 **Chair:** We may return to that. Just two other quick points before I hand over to Nusrat Ghani. On the Calais issue, there was a criticism of the previous Home Secretary: that it was some time before she—and your predecessor as well—actually visited Calais. In fact, this Committee has been to Calais more frequently than Home Office Ministers. It has been very much in the forefront of the news, and the amount of people in the camps at Calais appears to be greater than ever. Certainly the estimates I have seen over the past few days are about double the levels when the Committee last visited. This is clearly becoming a political issue ahead of the French election as well.

By what date are you confident that the camps in Calais will no longer exist in their current form? We had some sympathy with the mayor of Calais, who we have met several times and who has appeared in front of this Committee, together with her deputies. She feels rather forsaken by the national Government in France, who should be taking this matter rather more seriously, and Calais is somewhat caught in the middle. Are you confident that there will be progress there, rather than the problem



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just being dumped this side of the Channel, as certain people would like it to be?

Mr Goodwill: While I am new to the immigration role, I am not new to the whole issue of Calais and Dover and the Channel trade. As the shipping Minister until July, I was very involved in a number of the issues concerning not only industrial action, but also some of the actions of the migrants and the disruption there. It is absolutely clear that the situation there is unacceptable, and the situation faced by our hauliers and by tourists is unacceptable.

It is quite clear that the French Administration have realised that dealing with this issue is important for them electorally. That is why, when the President and the Minister of the Interior suggest that they intend to clear the camps—whether fully or partially remains to be seen—before the end of the year, I believe that they intend to do so. Obviously we have seen previous clearances, so I have no reason to suggest that they do not intend to carry out that particular role. That would be a good thing in many ways. Nobody should be expected to live in that camp. The organised crime that is going on there is unacceptable. The French are now building up capacity around the country for people to be moved elsewhere.

Chair: Dispersal, yes. Mr Winnick is going to ask a quick related question, and then I will move on to Nusrat Ghani.

Q7 **Mr Winnick:** The position of Calais, as the Chair said, is a political hot potato. But it is also, as I hope the Minister would agree, first and foremost a humanitarian issue when it comes to unaccompanied children there. Would you accept that?

Mr Goodwill: Absolutely. Indeed, my priority so far as Calais is concerned is to identify children who would qualify under the Dublin process with family connections in the UK. Many have expressed concerns about some of the bureaucracy surrounding that, but it is important from the French Government's point of view that they deal with the processes in line with French law. We can then put the Dublin process into action. We are looking at between 10 and 14 days to process a Dublin application if it is a straightforward one.

We also need to make sure that the family that the children are being placed with provides a setting which contains no risk to the child. In some cases, we need to convince ourselves that those people are indeed children and not people over the age of 18 who claim to be children, so there are a number of challenges. But certainly the humanitarian situation in that camp is not acceptable, particularly for the children. Of course, with the Dubs amendment to the Immigration Act, we can go further than just those whose qualify under the Dublin arrangements.

Q8 **Mr Winnick:** I am glad that you mentioned Lord Dubs. A newspaper article that you may not have seen, which appeared yesterday in *The Guardian*, describes how Lord Dubs has visited the Calais camps and been dismayed—I don't think that there is any other word to describe it—



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by the situation of children who are under 18. He quotes two cases of cousins who are 10 and 11 years old living in those appalling conditions. Perhaps I can be quite clear on your visit to Calais, Minister?

Mr Goodwill: I intend to visit as soon as I possibly can.

Q9 **Mr Winnick:** With respect, when you say “as soon as you can”, is that sufficient? Since you have accepted that this is a humanitarian plight, should you not either have visited already—however brief the time you have been Minister—or do so this week or next?

Mr Goodwill: I will look at my diary, to make sure, but I have made it clear to my officials—it was not them suggesting I should go; I said, “I need to go to Calais. I need to see the situation myself.”

Mr Winnick: Indeed, Minister.

Mr Goodwill: In the meantime, I have made it quite clear to everyone involved that the situation facing children in that camp is not acceptable. Indeed, the frustration is that if those children, particularly the ones who engage with some of the NGOs there, would initiate the process—they need to apply for asylum in France. They need to be then taken by the French to a place of safety. Then, if they have family connections with the UK, they can apply under the Dublin process. That is our advice to anyone in that situation.

Q10 **Mr Winnick:** But children of 10 and 11 are not going to do any of that. Can I make the suggestion, which I hope is hopeful—it is meant to be—that prior to your visit you meet with Lord Dubs and discuss the situation? He, of course, has played such an active role, and his amendment was finally accepted after initial Government opposition. That might be helpful when you visit Calais.

Mr Goodwill: I had a long conversation with Alf Dubs during the first week of my appointment. I know Lord Dubs very well indeed. We have worked together on a number of human rights issues in places like Belarus.

Mr Winnick: Well, he has come back now, and perhaps you will speak to him again.

Mr Goodwill: Indeed. I suggested we should have a long meeting over dinner to discuss the issues. I got the impression he was pleased that I was the Immigration Minister and he was looking forward to working with me, so be in no doubt. Lord Dubs has done great work. His own personal experience of being a refugee and the Kindertransport has had a profound effect on him. I think it has a profound effect on all of us who understand the vulnerability of these children. The frustration is that there is a process, and if the NGOs and those who can engage with the children can get them to initiate that process, we can get them back to the UK within a matter of weeks.

Mr Winnick: Let us hope so.



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Nusrat Ghani: Welcome to the Committee, Minister. I want to press you on illegal immigration. Hopefully you had time over summer to read up about it. Apparently there has been a trebling of illegal immigrants over the last three years. The BBC shows that over 27,000 illegal immigrants have been picked up by the police. How do you think that has come about?

Mr Goodwill: We need to look very closely at exactly what that 27,000 figure refers to. That is over a five-year period.

Nusrat Ghani: Not a three-year period?

Mr Goodwill: A three-year period, thank you. But it also includes those who may have been picked up on more than one occasion by the police. The question is: how did all those people get into the UK? Some of them are visa overstayers. Large numbers of people come to the UK—to study or for a variety of other reasons, such as family visits—and overstay. If those people then come to the attention of the police, they will qualify under this particular regime. Similarly, if an EU citizen was not exercising their treaty rights, had been here for more than three months and was destitute and picked up by the police, they would also come under that category.

This figure is one we need to pay attention to, but it does not explain the whole story simplistically. That said, there are people coming into the country illegally in the back of lorries—people smuggling—and we are well aware of the need to step up to the mark on that. The security we are putting in at the ports is being stepped up. We have better equipment. We are going to start building a big new wall very soon as part of the £17 million package that we are doing with the French. There are people still getting through—

Q11 **Chair:** It is a fence, not a wall, isn't it? We do not want to confuse that with Mr Trump.

Mr Goodwill: We have done the fence, and now we are doing a wall, and that will help. We have also, for example, invested in space for 200 lorries in Calais, so that lorries waiting are not necessarily vulnerable, but there is still more to do. I have to pay tribute to the French. They have engaged with us very well indeed, and we have really seen it as a partnership. The only thing that is disappointing is some of the more populist comments that some Opposition politicians in France have been making, which are not practical solutions to the problem at all.

Q12 **Nusrat Ghani:** If the figure of 27,000 is possibly an overestimate, because of the other issues that you raise, it could also be seen as an underestimate, because these are the only numbers that we are aware of. There could be many more people who just are not in the system; so where does the Organised Immigration Taskforce come in? Are they working effectively at the moment? Are they picking up everyone who needs to be picked up, or will there be much more investment or work with them, to go forward?



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Mr Goodwill: Obviously, if people are arrested by the police and brought before the criminal justice system and get more than a 12-month sentence, they are eligible for deportation on release. I think previous Home Secretaries have found to their cost that, if they do not address that robustly, they are not delivering what people expect. We are deporting record numbers. Since we have been collecting records, this year was a record; 5,810 foreign national offenders were removed in 2015-16, which is the highest on record and a 9% increase on last year. By the way, 3,485 of those were actually EEA citizens, so this is not just people from outside the EU.

That said, there are still some major challenges in terms of the legal processes. People may have been living here for some time illegally and then apply for asylum. They will then apply for judicial review. I think we had 18,000 judicial reviews last year, 90-odd% of which we won. There are a number of countries around the world—Eritrea, for example—to which it is difficult to return people. In other countries, such as Nigeria, we have made progress. Then there are countries like Albania to which people are not quite happy to go back, but it is very easy to remove them. There are people who are here illegally. If people are immigration criminals then we have every right to deport them and once we have gone through some of the more frustratingly long legal processes we can, in very many cases, deport them; and I think that is what the British people expect us to do.

- Q13 **Nusrat Ghani:** On the issue of criminality, the role of organised crime gangs must be an issue that comes to your mind. A percentage of people might be coming here because they are being smuggled across, so what work will be done with police authorities to make sure that organised crime gangs can be managed—sent to prison, or just dealt with properly— so that they are not making money on the misery of people arriving here illegally?

Mr Goodwill: In June 2015, the previous Prime Minister announced the creation of the Organised Immigration Crime Taskforce, bringing together officers of the National Crime Agency, Border Force etc. So we are co-ordinating that. In terms of disrupting organised criminals in France, where people—particularly Albanians—seem to have ways of getting into the country, which we need to disrupt, there have been a number of arrests and prosecutions, and some people have been given long prison sentences.

Nusrat Ghani: That has been referred to before in the Committee.

Mr Goodwill: We cannot ever let up the pressure on tackling that organised crime. The organised criminality does not end when the people arrive in the UK. They may be victims of modern slavery, they may be forced to be sex workers, they may be forced to work in conditions that are not acceptable. If a person is here illegally they have no rights, so an employer can exploit them. They can expect them to live on a mattress in an upstairs room of a takeaway restaurant.



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We got some bad press raiding a well-known upmarket chain of burger restaurants. I make no excuses. If people are working illegally, we must ensure they are dealt with and if necessary, and if it is possible, deported. Also, the two most recent immigration Bills have built on that, making it impossible for people who are here illegally to function. They cannot get a bank account. They cannot get a driving licence. They cannot work, etc. We are making it more and more difficult for people to get housing—all those areas. By making it impossible for people to work here we will, I think, take that on.

- Q14 **Chair:** Minister, we have got a lot to get through. Before I come to Mr Berry, you have mentioned Albania twice, and, as Ms Ghani has said, it was referenced by the Committee before. Just a point to note: when we visited Brook House at Gatwick some time ago there were a number of Albanians there and we were specifically told there is habitually a spike in Albanians appearing at Brook House just before Christmas, who then get a flight home for Christmas and magically reappear in the new year. So there was a strong suggestion that the system is being gamed, effectively, and for some reason the Albanians seem to be particularly good at gaming it. They are a potential accessor nation to the EU as well, but it was one interesting observation that came out from our trip to Brook House. That may apply to other nations as well.

Mr Goodwill: Albania is the one that has been drawn to my attention. Large numbers of Albanians who come to the UK illegally will do so to engage in criminal activity.

On my bucket list of things to do, as well as a visit to Calais, I have been promised a flight to Albania on one of the repatriation flights, so I look forward to that and will report back to this Committee as to my experiences.

- Q15 **Chair:** Take sandwiches, I think.

Mr Berry, can we get to the Calais and resettlement issue?

James Berry: Minister, welcome to your new role. In our report on the migrant crisis, which I am sure you have read in detail—

Mr Goodwill: I have, actually.

- Q16 **James Berry:** Very good. We called on the Government to immediately resettle the 157 children in Calais who are thought, or known, to have families in the UK. Citizens UK reports that that number has now risen to 170. I do not know whether the 157 has gone down, been added to or whether the number has not changed. Can you tell the Committee what steps have been taken to get that number down, to get those children in terrible circumstances resettled in the UK with their families?

Mr Goodwill: We have made some progress in terms of numbers of children coming to the UK. Thirty children have been accepted for transfer since Royal Assent, under the Dubs rule. Since January 120 children have been accepted for transfer to the UK, compared to fewer than 30 in 2015. So we are doing better this year than last year. As I have already said to



the Committee, these people are on French territory. The children must claim asylum in France. They must then apply, if they have family connections, under the Dublin arrangements. The Dubs amendment does allow us to go further, so if there are children, for example, who express a wish to come to the UK, children who have very good English language skills or other reasons—I would be interested to pick up what sort of reasons there may be, though maybe not because they are Manchester United fans—or if we can identify other children who would be better looked after in the UK, I am keen to make progress to accommodate those children. Obviously, this doesn't just apply to France; it would apply to Greece and elsewhere. I know that a number of communities and local authorities around the country have stepped up to the mark and realise the importance of this. We have a long tradition in this country of looking after the people most in need, and I am proud of the fact that we are making progress with the children.

Also, taking 20,000 people—not the people who pay the people traffickers, nor the people who have acted illegally, but the people who are most vulnerable—from the camps, is the right policy, because it does not introduce the additional pull factor, encouraging people to make that hazardous journey across the sea and to pay people traffickers. I believe that we need to do much more. Part of that is working with the NGOs to persuade those children. I suspect the people traffickers want to keep the children there, because if there is a clearance they will want to put them in the front line as the French move in. I have heard cases of children being used to throw stones at lorries, because people think they will be less likely to be arrested by the French police. It is in the interests of the people traffickers to keep those children in the camp, but it is in everyone else's interest to get them to engage with the French asylum system and then to apply under the Dublin process.

Q17 James Berry: Yes, I want to come on to that. You are quite right about the process. Frankly, we should be entitled to accept that a fellow member of the EU will apply and operate their immigration and refugee system properly. I don't think that is what the French are doing at the moment and I would like to think that if there were children in Dover or in any other port in the UK who wanted to be reunited with their families in France or Germany, we would be helping them, to pick up what Mr Winnick said, to make that asylum application so they could be reunited.

What discussions have you had with your counterparts in France to encourage them to help these young people through that process, so that they claim asylum, go to a place of safety and then can have the seamless 14-day transfer to the UK?

Mr Goodwill: One of the slight problems I face is that there is no absolute equivalent to the Immigration Minister in France, but the Home Secretary has been to Paris and met with her opposite number and a number of issues were discussed in connection with the juxtaposed controls and the whole migrant issue. We have a very good working relationship with France.



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The NGOs are doing sterling work in the camps, and they are probably the best people to engage with the children who need our help. Many of these children do not necessarily see people in uniform as people who are there to help them. Many of them would be suspicious of officials of the state, so I really hope that the NGOs will continue to work to persuade the children to apply and be processed. We can then have them here within a matter of weeks. We already have some coming, and I want to see the tempo of that process increase.

- Q18 **James Berry:** Thank you. At the time of the ultimately successful Dubs amendment, the Government made a commitment to resettle 3,000 vulnerable children from the regions where they are most at risk in the Middle East and north Africa. That would have been, and is, much more consistent with the Government's policy of taking people from the region, rather than people who have already reached Europe. That was perhaps not picked up on by the press as much as it could have been, but I believe it is still the Government's policy. We were wondering how many of those 3,000 children from the Middle East and north Africa have been resettled since that commitment was made.

Mr Goodwill: I can give you some stats. Under the Syrian Vulnerable Persons Resettlement scheme, 2,646 Syrians were resettled between October 2015 and June 2016. In total, since the scheme began, 2,898 have been resettled across 118 different local authorities. Around half—49%—were under 18, and around half—49% again—were female. We are focusing on the most vulnerable, as we said we would, and that includes women and children. Generally, those are not the sort of people you see being trafficked across the Aegean or from Libya—they tend to be fit young men.

Interestingly, when I was in Nigeria, it was explained to me that a family will save up to send one of their sons to Europe, via the people traffickers, in the hope that he will get a good job and be able to send money back. It was interesting that these were not the people from the areas where Boko Haram are operating, but people from the south of the country, where people do have wealth, albeit not by our standards. They are better off than others and can afford to pay to get their family sent across. I am very pleased with the progress we have made. We have places for the 20,000 that we have promised and are on track to deliver that number by the end of the Parliament, as we promised.

- Q19 **James Berry:** I know that Mr Umunna is going to come in on the EU, but before I go I wanted to ask one more question. In all your discussions so far with your counterparts in other EU countries, and from what you have followed of this debate, have you heard any country give the type of unequivocal guarantee of the rights of Brits living in any EU country that some are currently demanding of our Home Secretary and Prime Minister?

Mr Goodwill: I have not yet engaged with my opposite numbers in this particular area, so I could not really comment on that. I would say that we recognise the important contribution that EU nationals make to our



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economy, and I am sure that in other European Union countries they recognise the contribution made by British people who work there. As I said at the Dispatch Box yesterday, the only situation in which that would not be the case would be if the rights that we want to give to EU nationals who are already working here were not extended to British nationals abroad.

Chair: We are going to come on to Brexit in a minute, but Mr Burrowes wanted to ask a further question on this.

- Q20 **Mr Burrowes:** In terms of the follow-through from the Dubs amendment, how many children at risk have been screened as eligible to be resettled here from Greece?

Mr Goodwill: I know that it is 70 from France.

Sarah Rapson: It is not very many at all. The children do not tend to spend that long in Greece because it tends to be a transit country. We can get the specific numbers.

- Q21 **Mr Burrowes:** Could we get some figures? There is a European-wide concern, not just about Calais, following on from the missing children in Italy and elsewhere. That would be useful for the Committee.

Mr Goodwill: There is some evidence that the children who want to come to the UK will come to Calais because they think that's the way it is going to happen, but that is not the case. Under the Dublin process, they can apply in any EU country.

- Q22 **Mr Burrowes:** In terms of the Dublin process, when the take-charge request has been accepted, how categorical can you be about the safeguarding duty that needs to be applied following that request being accepted? How secure are you that the duty of safeguarding is being implemented either by the French authorities or by us?

Mr Goodwill: France is a very modern, civilised country with good social services, so I have no real concerns about the way the French are delivering this. We similarly have to make some checks on family members. I would not want a situation where a child—perhaps an older teenager—came to the UK and was then found to be working in a relative's restaurant or something. We need to convince ourselves that the setting where that child will be placed is one in which they will be cared for. I have talked about the Cinderella scenario. We do not want a situation where that person is seen to be an asset to the family, rather than somebody in their care.

- Q23 **Mr Burrowes:** But before we get to the UK, what I saw two weeks ago in Calais is those whose take-charge request has been accepted and are living in the jungle in states of risk and vulnerability. When you go to the jungle, I invite you to scrutinise particularly those take-charge request children and whether the French authorities' commitment to provide them with safe places is being honoured. I encourage you to scrutinise that.

Mr Goodwill: I will be asking those questions.



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- Q24 **Mr Burrowes:** One final point on the commitment the Home Secretary made to resettle and provide £10 million of English classes for those within the VPR scheme. Why does that not extend to others who come from, say, Syria—the same place and the same conflict—through the normal asylum system? They are refugees, but are not eligible for the same funding; it has to be through the VPR scheme. Can the Minister look at whether that can be extended to all those who are refugees?

Mr Goodwill: I do not know why, but I will find out.

- Q25 **Mr Umunna:** Minister, welcome to the Committee and congratulations on your appointment.

How exactly will the division of responsibilities between the Home Office and the Brexit Department work? You say that the Home Office will be in the lead. Do I take it, therefore, that whenever a question in the House is raised with the Secretary of State for Exiting the European Union in respect of, say, immigration, he is simply going to parrot the policy that has been set by the Home Office, or is there a joint policy-making approach?

Mr Goodwill: I think the joint policy-making approach is the way that we will go forward but, as I say, we are taking the lead. There is a Cabinet Committee, of which I am a member, along with the Home Secretary, which will be discussing a number of these areas.

I am absolutely convinced that the Prime Minister will be taking a great lead in this. She is the person who will deliver on this deal for us, and she is the person who has the credibility and political weight to cut the deal that we need to cut. It is not just about immigration; it is the free-trade arrangements—

- Q26 **Mr Umunna:** If, say, the Home Secretary says something slightly different from the Secretary of State for Exiting the European Union, and perhaps something different from the Foreign Secretary, when it comes to immigration she is probably the one we should listen to.

Mr Goodwill: Well, the role of the Cabinet Committee is to get round the table and decide what the line is.

- Q27 **Mr Umunna:** That was not my question. My question was, if they are all saying different things, which has occurred over the summer in respect of some Brexit policy, the person we should listen to is presumably the Home Secretary.

Mr Goodwill: Yes.

Mr Umunna: Thank you. Can I move on—

Mr Goodwill: And the Prime Minister. I know the press will pounce on what one person said, but actually we are at the start of an interesting process—

- Q28 **Mr Umunna:** You are a happy family.



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Mr Goodwill: Well, actually, yes. I even said, when Peter Bone asked me a question, that we were on opposite sides of the debate in the referendum, but we are all on the same side now that we have to deliver this deal for the British people.

- Q29 **Mr Umunna:** Can I move on and ask you about an exchange that I had with your immediate predecessor about the right of EU nationals to remain in the UK? He gave the same response that you just gave to Mr Berry, and he reiterated the desire of the Government to allow EU nationals who are already here to stay. Can I start by asking which EU nationals you are talking about in the end wanting to give the right to stay? Are you talking about EU nationals here at the time of the referendum—people who were in country on 23 June—or about EU nationals who are in country on the date that the UK leaves the European Union? What is the reference point?

Mr Goodwill: 23 June 2016 is one date that could be used, but there are other dates: the invocation of article 50 or the date we leave, or other dates in-between. That has yet to be determined, but the message I would give to EU citizens living, working or studying here is that there is no threat to their treaty rights so long as we remain a member of the European Union. The only circumstance—I will repeat it again—in which that would not be the case is if similar reciprocal rights were not extended to British people living and working abroad. In addition to that, could I—

- Q30 **Mr Umunna:** Just to be clear, the answer to the question is that, currently, you have not determined what the reference point is.

Mr Goodwill: Yes.

- Q31 **Mr Umunna:** So arguably, if you are an EU national wishing to be able to stay in the UK and the reference point is set as the date of our departure from the European Union, so long as you get here before that date, you might be in with a chance of being able to stay here, if you achieve your aim?

Mr Goodwill: That is one of the considerations we will have to seriously look at before we decide, but as I say, there are a number of dates that we could pick; it's a debate—

Mr Umunna: Which is implicit in my question.

Mr Goodwill: But the point I would add is that there is no need for EU nationals here in the UK to get any documentation—

- Q32 **Mr Umunna:** I am going to come on to that precise point. Can I, then, ask you this? One point that was made to me by your predecessor at the last session we had with him was that of course, people who have been here for more than five years currently have the right to stay here permanently. Do you have a number for the number of EU nationals who do not meet the five-year threshold who are currently in the UK? Maybe this is one for Ms Rapson.



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Sarah Rapson: We do not, because currently EU nationals do not have to register in the UK.

Q33 **Mr Umunna:** So you do not know.

Sarah Rapson: We would know the number of European Union citizens who, for example, hold permanent residency—who have applied over the years—but we would not know the full total because they are not required to register currently.

Q34 **Mr Umunna:** Do you have a sense of an overall number for all EU nationals in the UK at present?

Sarah Rapson: I think it is the ONS—

Q35 **Mr Umunna:** Other than the ONS figure.

Sarah Rapson: No. I mean—

Q36 **Mr Umunna:** That is the one you work with.

Sarah Rapson: That is the one we would rely on, yes.

Q37 **Mr Umunna:** How many EU citizens here have a national insurance number?

Sarah Rapson: That is not something I would know, I'm afraid.

Mr Goodwill: There are also, I think, more national insurance numbers out there than there are people—

Q38 **Mr Umunna:** Which I was about to raise. You keep pre-empting me, Minister.

Mr Goodwill: Yes, sorry.

Q39 **Mr Umunna:** I am sure you are being helpful. I just want to go through this for the benefit of the record, so people can follow my thesis here. Have all EU nationals who have been here at some point been granted a national insurance number? I am talking about people who have come here not for a holiday, but to settle in some way, shape or form.

Sarah Rapson: I would think that would be a question for the DWP rather than the Home Office.

Q40 **Mr Umunna:** So you do not have a sense in Government—there is no figure in terms of—

Sarah Rapson: There may well be, but from a Home Office perspective, we would know the numbers of European Union citizens who had applied for and then got permanent residency or had applied for the registration certificates, as distinct from whether they had applied for a national insurance number or not.

Q41 **Mr Umunna:** The point I am making is that you do not really know how many EU nationals are currently here. You do not really know how many of them have been here for more than five years. You kind of have some



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national insurance data to go on, but you don't actually have a clue. So if you were not to give EU nationals—determined by whichever reference point you choose to pick—the right to stay here, with the result that they have to go, practically speaking you have no way of identifying who they are before you consider the practicalities of actually removing them from the United Kingdom. So this so-called bargaining ploy that you appear to be using with our European partners, with the logic that was set out by Mr Berry, does not really come to much, because you do not really know who these people are, where they are and who may have the right to stay or not at the moment.

Mr Goodwill: I really cannot see that it would be a negotiating position of the other EU member states, particularly countries like Poland, to negotiate to have their nationals returned to Poland. The statement made by the Prime Minister about how the only circumstance she can see is if our citizens were not given the same right is not a bargaining ploy, it is how things are.

Q42 **Mr Umunna:** I just want to go back to my central point, Minister, for argument's sake. It is obviously the worry of the Government in the context of the Brexit negotiation that British nationals in other EU countries are not guaranteed reciprocal rights. In those circumstances, you are saying you would not guarantee the right of EU nationals who are here to stay.

If that scenario transpired, the argument I am making is that if you were to seek to remove them from the country, you do not know who most of these people are. You do not know how many of them have not become entitled to stay here through having been here for five years. You do not know.

Is it not the case, Minister, that if you were not to guarantee the right of these EU nationals to stay and they had to be removed, practically speaking, that could be impossible?

Mr Goodwill: There are a lot of "ifs" in that question.

Mr Umunna: Do you disagree with my thesis—

Q43 **Chair:** This has been raised in the whole context of the failure of the Home Office to have exit checks on who is leaving the country. Surely it is of key relevance to the Home Office—let alone what interest the DWP may have in this—given that it is the Home Office target for a net migration figure and that figure is highly reliant on the number of people leaving the country netted off against those coming in. Surely there is an imperative for the Home Office to know how many people who are not native British residents are in the country and, therefore, may be here for a finite period of time by choice, in order to see how realistic—or not—or sustainable your 10s of thousands target is.

Why has more work not been done on determining exactly how many European citizens are here—quite aside from the implications of Brexit now and in the future—because it is highly relevant to your net migration target?



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Mr Goodwill: The net migration figures are based on a survey, not on headcount in and out. We have not had exit checks in place for long enough to be sure about, for example, people who may have left the country before we brought in exit checks, but also the advice I have received from officials is that, at this stage, the exit check information is not sufficiently finessed and accurate for us to use it to pursue people who overstay their visas. I hope we can get to that stage.

There are a number of complications. The simplest one to understand is people who die while they are here. We do not want to be going around pursuing people as overstayers on their visa because they happened to die while they were here.

We have got the Common Travel Area with Ireland and there are a number of US tourists on tours who may leave from Shannon and would therefore not be picked up by the exit checks. It is not as straightforward as I thought, rather naively, it would be—that we would just count them in and count them out and then we would know the difference. At the moment, the survey is the best way we can get those figures, but as we move forward with exit checks I hope we will be in a better position.

As for the number of EU people living and working here, until the British people voted to leave the European Union, this was probably not a figure the British Government were interested in to the same extent as they are now. Also, on that question, Mr Umunna, with all those “ifs” in, it would not be a negotiating objective of the UK to remove people working and living here, making a contribution to our health service, to our agriculture, to all the other areas. Neither, I suspect, would it be an objective of our European partners to send a load of British pensioners back from Spain. There are too many “ifs” in that question.

Q44 **Mr Umunna:** Okay. I will ask you a question without any “ifs”. Are you in a position to identify and therefore remove every EU citizen in this country—yes or no?

Mr Goodwill: I cannot see a situation that we would even think about it.

Mr Umunna: Minister, I asked you a question. It had no “ifs” in it.

Mr Goodwill: We are going down this—

Q45 **Mr Umunna:** I am just asking, are you in a position to identify every EU citizen currently living and working in the United Kingdom and therefore to require their removal?

Mr Goodwill: No, we are not in a position and I can’t foresee a circumstance where we would want to be in that position.

Q46 **Mr Umunna:** So what on earth is the point, Minister, in holding out the hope that, somehow, you could not guarantee them the right to stay here? If you cannot identify all the EU nationals in our country and therefore be in a position to remove them, what on earth is the point of carrying on with this pretence that somehow, if you weren’t to guarantee



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them the right to stay, you could get rid of them? You have just told us that you can't.

Mr Goodwill: I can see the route you are trying to take me down, but it is not a route that I think you are ever going to lead me down.

- Q47 **Mr Umunna:** I think I have taken you down that route, Minister. I am going to get ticked off by the Chair, so my final point and question to you is this: there are obviously a lot of British citizens—children—who have parents in this country who are EU citizens and might not have the right to stay here. Can you understand the huge, huge worry you are subjecting them to with this continued pretence that you are not going to grant their parents the right to stay here?

Mr Goodwill: We have made it clear that we wish to protect the status of EU citizens living here in the UK. That is our objective. We have made it clear also that there is no need for anyone to get additional documentation to prove that. I find it difficult to see a circumstance in which we would want to be in that situation. The people from the EU who are here working and contributing are important to our economy and British people working in other parts of the European Union are important there. I can see a number of sticking points in the negotiations, but this is not one of them.

Mr Umunna: I think that's an understatement when it comes to what I am talking about. Thank you, Minister.

- Q48 **Chair:** There is, similarly, from all the arguments that went on during the Brexit referendum, some doubt over the exact numbers of British expats residing in EU countries as well.

Mr Goodwill: Yes, I think the figure I have is 1.2 million. That rings a bell with me.

Chair: Well, 1.2 million and, put the other way around, 2.1 million, are both figures that were legitimately used by various parties during the referendum campaign.

Mr Umunna: May I just say that the difference between the two figures is that 1.3 million is the number who are living and 2.1 million is the number who are living and working, apparently? I think that the Clerk is indicating to me that I am correct.

Chair: And there are different variations on that too. I think the point is that this problem of exactly who is within the borders is not an issue just in the UK in any case, which just complicates matters. But we will temporarily leave Brexit and go on to the slightly less thorny issue of asylum accommodation with Mr McDonald.

- Q49 **Stuart C. McDonald:** Welcome, Minister. I will turn to asylum accommodation and family reunion in just a moment, but I have a quick follow-up question. You mentioned Eritrea as one of the countries it is difficult to remove people to, but one reason for that is that the vast majority of people from Eritrea are probably at real risk of persecution or human rights abuses if they return there. On your bucket list, will you



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add a review of the Home Office's country guidance relating to Eritrea, which is completely out of kilter with what other EU countries are doing?

Mr Goodwill: Yes, I think Ms Rapson will take that. I have looked at some of the data. There was a report that some Danish observers who went to Eritrea did and there are other reports based on people who are not in Eritrea at the moment. The real sticking point seems to be the national service programme and the way it operates, but I am sure that Ms Rapson will take that.

Sarah Rapson: I know that the Committee has been interested in the overturn rates at appeal for Eritrean cases. It would be helpful for me to let the Committee know that the country guidance has been changed to reflect things like those who are at risk of indefinite national service in Eritrea. My caseworkers are now using the updated guidance to make decisions on the Eritrean cases so we will see some more movement in those cases soon. There is also a country guidance case still to be heard in the courts, so the judges are still using the previous guidance. As soon as we are through that and it is all aligned, we will start to see the Eritrean cases moving through the system much more speedily.

Stuart C. McDonald: We will look very closely at that.

Mr Goodwill: I think that the high level of appeals that are successful is largely down to new information being brought forward at those appeals, so I would be careful not to read into it that the original cases are not being heard properly. It is additional information.

Q50 **Stuart C. McDonald:** In fairness, the suggestion was that the Danish report you were talking about had been widely discredited but still seemed to be the fulcrum of the Home Office country guidance. But, as I say, if it has been reviewed we can look at it again.

Sarah Rapson: We have had officials go out to Eritrea and come back with new information, and on the basis of that and other information, we have adjusted the guidance.

Q51 **Stuart C. McDonald:** One other short and sharp thing to add to the bucket list is the draft guidance on adults at risk in immigration detention, which was raised in the Chamber yesterday. A number of groups like Medical Justice, ILPA, Liberty and the JCWI have expressed considerable concern at certain aspects of that—for example, the definition of torture. Will you look carefully at what these groups are saying before coming to a final view on what that guidance should look like?

Mr Goodwill: I am going to meet with Keir Starmer, who has raised this issue. The current definition of torture is in relation to state-sponsored behaviour—unacceptable behaviour. Of course, now we have states within a state in terms of Daesh, the Taliban and Boko Haram. Certainly I need to get to understand a little bit more about that. I was pleased to offer that meeting with Sir Keir and his colleagues.

Q52 **Stuart C. McDonald:** There are other concerns that these organisations



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have raised, but you will look at anything that is sent to you before finalising what that guidance looks like—good.

Turning to refugee family reunion, providing a safe legal route for family members will cut out a lot of the disasters we have been speaking about, in terms of Greece, Calais and so on, but various problems with the family reunion process have been highlighted. British Red Cross, for example, has focused on the 30-day period that family members sometimes get, with different members of the same family not having overlapping 30-day periods, so they have decisions to make about whether they leave someone behind or apply again. What do you think about changing that 30-day limit?

Sarah Rapson: Having had a look at this process, it is clear to me and to the chief inspector, who has just had a look at family reunion—the report is yet to come out—that we have not been applying common sense in the 30 days. The team have been instructed to be much more sensible about when we think someone is actually travelling and to find that out up front. That might mean we issue the visa for a different period that aligns with the travel, or if in some instances perhaps the travel date changes, it is not about making another application; we will just reissue the visa. We want now to respond to the criticism and take a much more common-sense approach to that.

- Q53 **Stuart C. McDonald:** That is very welcome news. More broadly, there are also concerns about the scope of the rules and who can qualify under them. In terms of adult children who are part of someone's household, I think there has been a little bit of movement in terms of guidance about exceptional cases and so on, but surely as a general principle, an adult child who has been part of a household in, say, Syria, should be entitled to reunite with family members here, whether they are 21, 16 or 15. The problem is that if you leave 21-year-olds behind, they are probably the most likely to then attempt these dangerous journeys all the way to Calais. Why not broaden the scope of the rules to take them into account?

Mr Goodwill: So 21 is okay—what about 25, 29 or 40? That is the problem we face. There is some flexibility in the system.

- Q54 **Stuart C. McDonald:** What I am suggesting as an alternative is that if they can prove they were part of the household before they left that country, that would be the sensible place to draw the line—not a 22 or 23-year-old who was living on the other side of Syria and had formed their own family. Is that not a more logical way to draw the line?

Sarah Rapson: On the guidance, you are quite right; we have extended it to say that for exceptional reasons, we will offer leave outside the rules. That is to encompass extended family members, as you just described. We are fully expecting the numbers to increase because we see more cases like that. In those circumstances, I would encourage those sorts of application, because that is what the guidance was intended to encompass.



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- Q55 **Stuart C. McDonald:** We will look at that closely as well. Finally, in terms of the scope of the rules, I think I am right in saying that the United Kingdom is one of only two EU countries where the parents of a child who makes it here cannot apply to be reunited here. Is that something the Government will think about looking at again?

Mr Goodwill: Generally, under the Dublin process, if the child is in this country and their parents are in another EU country, that child should join their parents in that country.

- Q56 **Stuart C. McDonald:** But if the parents are still in a neighbouring country around Syria, for example, they would not qualify for refugee family reunion to come and join their kid here.

Sarah Rapson: The Government's current position is that we do not support children who are here then bringing their parents across, because we believe there will be a perverse incentive for families to send children ahead of them and then bring the rest of the family across. That is the Government's current position.

- Q57 **Stuart C. McDonald:** Sure, but all I would say to the Minister is that, by that logic, you would not expect to see any unaccompanied minors here with family abroad and they would all have picked a country where they could have their parents reunite. Add that to your bucket list, as well.

Mr Goodwill: Of course we must bear in mind that in terms of stepping up to the mark in the overseas aid we are giving to the people in the camps—the amount of money we put into that is astounding. I saw the figure. I am very proud of the fact that we understand that the people most in need are not the people who have made their way to Europe; it is the people in the camps. That is why the Government's policy is first to focus on those 20,000 people most in need of help and bringing them to the UK and secondly to ensure that the people in the camps are being fed, protected and sheltered. That is important.

- Q58 **Stuart C. McDonald:** We have to do both, absolutely. I turn now briefly to asylum accommodation. We are going to be hearing evidence about that next week. I think it is fair to say that the last few months have seen the Compass contracts subjected to quite a lot of scrutiny and quite a lot of unfortunate and pretty scathing headlines and news stories. Are the Government still considering whether to extend those contracts for another couple of years? If so, will they wait until this Committee publishes its own views on those contracts before confirming whether they will press ahead?

Sarah Rapson: Yes, we are still considering it. We are hoping to make decisions on it in the next number of weeks—this is regarding the extension. I do not know how formed your views are yet. It would be good to know when the Committee's report will be available. If it does not work in terms of the timeline, perhaps we could get some information from you. You have been considering this for some time, so it would be good to hear your views sooner rather than later.

- Q59 **Stuart C. McDonald:** Absolutely. That is helpful. There was a debate on



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asylum accommodation earlier this year in Westminster Hall. One of the things that the Minister at that stage was saying was that various changes had been made to the inspection regime. Can you say a little bit about what those changes were going to be or have been?

Sarah Rapson: There was a specific change that came about post the Middlesbrough issues, which related to some of the really difficult issues that we were dealing with around red doors and wrist bands and all those ways of identifying asylum seekers. This Committee had a view on that and quite rightly so. We adjusted the inspection regime to take into consideration not only a tick list of whether something is working, but how the person in the property actually feels, how to complain and the experience of actually living in the property. That was to try to pick up and pre-empt any of those issues. It became a bit more of a welfare inspection, as well as being a tick box list of whether the lightbulbs are working and whether the property is safe.

- Q60 **Stuart C. McDonald:** Sorry this is so scattergun, but there is a related issue at the other end of the asylum support system. The Refugee Council in particular has done a fair bit on the transition. If someone gets refugee status, they currently have four weeks of support before they are left to fend for themselves in terms of housing and seeking benefits and all the rest. That four weeks is desperately short for someone to find accommodation and to make a benefits application or to find work, for example. I think universal credit takes six weeks, on average. Is that something that the Government are going to look at? Are the Government going to listen to those concerns?

Sarah Rapson: At the moment, my team are working with people who are in that situation to get them into that system as quickly as possible, and we are going to monitor that for a period of months and then the Government will take a view as to whether we think that is too short and we need to do something about it or whether we think it is appropriate with the right support for the refugee then to move into, say, the welfare system. We are looking at it.

Chair: Last question.

- Q61 **Stuart C. McDonald:** My final topic is English language testing. We've got a new Minister—can you look at this again? You have a response from the Home Office to what was undoubtedly a very serious problem of systematic cheating, but you also undoubtedly have thousands of innocent people—I strongly suspect that thousands of innocent people are caught up in this—who are left to challenge an allegation that they have cheated in their English tests. It is no more than an allegation and they are supposed to challenge it by leaving the country in many cases and appealing from abroad. They do not have the benefit of appearing before the judge. They do not even get to see, hear, have a look at or in any way examine the evidence on which the decision that they have cheated has been made. Surely that whole response has to be revisited if there is to be justice for some of these people.



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Mr Goodwill: I was astounded—I was aware of it, because we are all in Parliament, with UQs and what have you—by the industrial scale of the cheating that had been going on with the language tests. I am satisfied that the system in place now is not open to that sort of abuse. Indeed, we now have only four tests to approve, as opposed to 30 different tests, and there are two providers, rather than six. In February 2014, there were 2,869 test centres, but from April 2015 we reduced that number to 20, so that enables us to monitor them and to ensure that they are in order.

I understand the point that you are making about people being innocent victims, but I just wonder how innocent some of those victims were, given some of the evidence presented and some of the court cases that have been going on. I have heard of people who are arguing that they should have passed the test, but their English is so bad in court that the judge has had difficulty understanding them and had to bring in an interpreter—

Stuart C. McDonald: We could trade anecdotes about that.

Mr Goodwill: I just dip my toe in the water of this particular issue, but industrial-scale fraud was going on—

- Q62 **Stuart C. McDonald:** But what we don't want is industrial-scale removal of innocent people at the same time. All we are calling for is natural justice and the ability to challenge allegations made against those people. Literally, all they get is a bit of paper that says, "Suspected of cheating"—a bit paper sent by the parent company of the testing service that mucked it up in the first place. If they cannot have access to the evidence and they cannot have their day in court, how can we say that that is in any way close to natural justice?

Sarah Rapson: The courts have said that the evidence that the Home Office has provided is sufficient to discharge the presumption of—

Stuart C. McDonald: Practically, but—

Sarah Rapson: The court has been consistent on that, so it is up to the individuals to provide evidence that that was not the case.

- Q63 **Stuart C. McDonald:** It isn't easy to do if you are hundreds of miles away. How do you prove you're good at English?

Sarah Rapson: The out-of-country appeal is a very well-established process—20,000 each year. Again, I think one of the judges did rule that it is appropriate for somebody to be able to challenge that from overseas.

Mr Goodwill: If I could just give you a figure, it might help—

Chair: Could we be quick? There might be a vote soon.

Mr Goodwill: The American parent company has identified 33,725 invalid results, and 22,694 questionable results. Those figures are astounding.

- Q64 **Stuart C. McDonald:** So it says, but on what basis? We have no information on how it has gone about producing this list—



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Mr Goodwill: On the basis of analysing the voice recordings and matching them up using software that—

- Q65 **Stuart C. McDonald:** Let the people who have been accused of cheating hear those recordings and have them analysed—that is all we are asking for.

Sarah Rapson: If people want to have the voice recordings, they can go to ETS and ask for them. In fact, some cases in the courts already have the voice recordings. All that happens is that people say, “That isn’t me.” Voice recordings must have been mixed up, so we have had some independent evidence to say whether this is possible—the independent report has come back said, “Well, actually, the vast majority is not.” And we know we have genuine evidence of people taking tests on behalf of other people.

Chair: We will go back to Mr Burrowes on the resettlement figure.

- Q66 **Mr Burrowes:** You said last month that Tinsley House and Brook House detention centres are being expanded by a combined total of 100 spaces. Will you confirm that, and tell us how that is consistent with the indications from the previous Minister and the Government in relation to reducing the size of the estate?

Mr Goodwill: We are closing—

Sarah Rapson: Sorry, it’s not something—

Mr Goodwill: I think it is Tinsley House. I know there was one for families—I think it is Tinsley House—where the number of people in there was very few and the cost per family had got—

Sarah Rapson: Cedars.

- Q67 **Mr Burrowes:** I understand the expansion of Tinsley House was owing to the closure of Cedars, but that is a small proportion of the 100. Perhaps we can have a note on whether that is the correct information. Linked to that, when will the publication of the strategy in relation to the immigration detention estate take place? There is a strategy.

Sarah Rapson: It is with Ministers at the minute.

Mr Goodwill: Yes. It is currently in front of Ministers. I do not have a timescale for when that will be published. The vast majority of people who go into immigration detention go for a short time prior to their departure. If there is no prospect of deporting people, we cannot indefinitely detain people. I have been to the Harmondsworth centre and seen it first hand—in fact, I went with the Home Secretary—and I hope to see other locations around the country where this is happening. I know that we have addressed the issue of families following Stephen Shaw’s report, and pregnant women is another issue—we are seeking not to detain those. I hope we are being sympathetic to the needs of families and pregnant women in particular, but I am also aware that where people are being



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returned, we need to be able to keep them secure for the short time before their departure to facilitate that.

- Q68 **Mr Burrowes:** But in terms of the expansion of Tinsley House and Brook House and clarifying whether that is related to other detention centres being closed—other than Cedars—it would be useful to have that information, if possible.

Mr Goodwill: Okay, we will provide you with some. I am not fully across that yet, but I will certainly provide you with some.

- Q69 **Chair:** Could we quickly come back to the visa applications and the backlog at UKVI, Ms Rapson? This is an area we have looked at before with you. The number of visa applications on which UKVI is still to start work apparently now stands at 28,000, which is an increase of some 11,000 on the previous quarter. That appears to be a huge increase. Why is that?

Sarah Rapson: This is the “outstanding, not input” cohort, so it is the paper applications that we have got and we have yet to put on the system. I accept that that is too high at the minute. It is actually a function of an increased level of applications from EU citizens who are seeking to get either the five-year permanent residence process through or the piece of paper that demonstrates that they have treaty rights. We have had quite a substantial amount of work in the system, which we are managing, and so we have yet to get all that work through the process. I would assure the Committee, though, that despite the fact it is not yet on the system, the service standard of six months starts at the time we receive it, not the time we put it on the system, and we are operating within that service standard across all of that work. It is not a backlog in the purest sense; it is work that needs to be on the system. We need to do that quickly and we have a plan for that, but the end-to-end process is still within the six-month service standard.

- Q70 **Chair:** So you are happy that you are sufficiently resourced to be able to deal with that in the timely manner in which you are tasked to.

Sarah Rapson: We’ve got plans in place; we have moved resources around, because we are able to do that much more dynamically than we have been able to in previous years; and we are using different types of agency staff and overtime. In fact, that workload has levelled off a bit, so at the moment I am not particularly concerned about it. The other issue on the “outstanding, not input” work, though, is that it really means we have to focus on getting the online channel up and running. We have the online channel up and running overseas. We have just done 180 countries for the visit visa; in-country, we have tier 2 and tier 4 online; and by the end of the financial year, we should have 95% of all applications online. This problem with “outstanding, not input” then falls away, because the customer goes straight on to the website, completes the application form and it is in the system.

Mr Goodwill: The other important timing is where people want their passports back, and it is very important that we do that quickly. I am



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satisfied that we are doing that very quickly. It may take some months to process an application, but if you need that passport to go to a family funeral or something like that, it is very important that we have a very rapid response, which we do.

- Q71 **Chair:** Can I turn to the subject of curtailment action and sponsor notifications? In Q1 of this year, the figure was some 46% of sponsor notifications requiring curtailment action, but in Q2 that figure has apparently risen, again on the face of it substantially, to some 87%. Again, why has there been such a big rise in curtailment action applications?

Sarah Rapson: My figures say there has actually been a drop in the number of notifications that need action and that we are getting better at working with the industry, so they are not sending us notifications that they do not need to, because we want to save them doing some work and we want to save ourselves doing the work. We are getting much more targeted at making sure that the notifications that do come across to us are the right ones.

- Q72 **Chair:** So our figures are not correct.

Sarah Rapson: I wouldn't say that. I am just saying that we have experienced a significant drop in the proportion of total notifications requiring no further action, which means that the notifications that we are getting are those that we need to receive and to do something with.

- Q73 **Chair:** But the number that are being curtailed has risen, according to our figures on quarter-on-quarter.

Sarah Rapson: Forgive me, I will need to come back to you on that. From my perspective, the story on curtailments is that we are getting better curtailments from the industry. There has been quite a lot of noise about this in previous months. Let me come back to you, if that is all right with you, with what is happening there.

Chair: Mr Winnick has got a question on scrutiny of quarterly statistics.

- Q74 **Mr Winnick:** Ms Rapson, at the end of 2013 you told us that all cases in the older live cases unit—yet another designation—would be worked through by the end of the following year. The information we have is that there are currently 24,000 cases, which, at the current rate of progress, will take 24 years to clear. You, Minister, if I am right, will be 84 by then. I won't be so indelicate to ask—

Chair: And how old are you?

Mr Winnick: I would be in competition for the oldest living person in Britain, I imagine. Ms Rapson, I am not going to ask about your age.

Chair: Thank God for that!

Mr Winnick: How can the situation be that you told us that it would all be clear by 2014, but now in 2016 there are 28,000 cases?



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Sarah Rapson: Mr Winnick, thank you for giving me the opportunity to respond on this point. What I said to the Committee—I had that exchange—was that we would make a decision on the 41,000 cases by the end of December, and that is exactly what we did. I didn't say we would have concluded all of the cases or removed those that had a refusal decision, but every single one of those 41,000 people got a decision, as I said that they would. A number of people were granted, there were a number of duplicates in that record and a number of people had died. What you have got here is the people who got a refusal decision, of whom now a small number have applied for additional leave. Another small proportion are reporting at the immigration enforcement reporting centre.

What you have got left is a group of people who have had no contact with the Home Office since 2014 and should have left the country. We are now running a tracing programme against that 23,000 to see whether we think they are still in the country. If they are still in the country—some of them may well have gone home—we will then hand them over to immigration enforcement in the usual way. I just repeat that I absolutely delivered the promise I made to the Committee on time.

Q75 **Mr Winnick:** Yes, but, be that as it may, you are not disputing that there are 24,000 cases at the moment in the unit that, as you know, is given the name of the older live cases unit. You don't challenge that.

Sarah Rapson: No. I said that of the 41,000, everybody got a decision, and certain things happened. A number of them got granted, a number of them are reporting and a number have applied for further leave. The number you are talking about are the people who had a refusal decision who may have already left the country.

Q76 **Mr Winnick:** Yes, but on the basis of the information we have, there are 24,000 cases at the moment.

Sarah Rapson: Yes.

Q77 **Mr Winnick:** Can we have an indication of when that will come down to under 10,000?

Sarah Rapson: I can't answer that question, because we need to do the tracing exercise to see exactly who is in the country still, as far as we can tell. We will go through that process. There will be a number who are still in the country and we are able to trace. At that point, we will be able to share those numbers with the Committee.

Q78 **Mr Winnick:** It would be useful, Ms Rapson, if you can send us a detailed letter explaining what you just said and when it is likely, in your view, taking into consideration all the reservations, that that figure of 28,000 will come down substantially. Can you do that by next week?

Sarah Rapson: I will certainly write to you with what we have done and what we plan to do. We can do that by—

Chair: That would be very helpful. Can I suggest, because we have got through most of the subject and I don't know many votes there are going



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to be, that we end proceedings there, if colleagues are agreeable to that? Minister, thank you very much for your debut performance. I thank Ms Rapson for your contribution today and your many appearances up to today. I wish you well in your new role.

Mr Goodwill: And on that last point, I am going to ask for a briefing, because I don't understand it either.

Chair: Fine. It will be to our joint mutual benefit, in that case. Thank you very much.