



Rt Hon. Yvette Cooper MP
Chair, Home Affairs Committee
House of Commons
London
SW1A 0AA

03 July 2020

Dear Chair,

Thank you for your letter of 29 May. I will address each of the matters you raise in turn.

Measures at the Border

With respect to your questions around the scientific advice for measures at the border, the Home Office's Chief Scientific Adviser has recently written to you and his letter addresses your questions.

Asylum support

In response to point 5, on the time taken to action an application for section (2) support is not routinely published. We can provide internal figures, however, as this is based on internal management information, this data is not subject to standard assurance procedures and may be subject to change. Between January and February, the average time for the casework team to action a case was approximately 4.4 days and between March and April it was approximately 4.8 days. An "action" is a decision to grant or refuse an application for support, or to request further information from the applicant to establish their eligibility to receive it.

If a person is found to be eligible for support, they can be immediately admitted to one of our initial accommodation centres if they are street homeless or at risk of being street homeless.

In response to the points made in paragraph 6 (i), we have announced that there will be an immediate exceptional increase of the standard allowance, increasing from £37.75 per week, to £39.60 per week. That is an increase of around 5%. As shown by the latest ONS data for April, this increase is substantially more than general inflation year-on-year (0.8%)

and food inflation (1.4%). The data also shows that food prices actually fell between March and April.

This decision has been taken on the best available current evidence of the costs to the average asylum seeker of meeting their essential living needs, which is the legal test set out in the Immigration and Asylum Act 1999 – which as you will be aware was passed by a Labour Government

The methodology used to review the level of the allowances has been in place since 2014 and the courts have recognised that it is rational and lawful. The methodology uses data provided by the Office for National Statistics (ONS) about expenditure by low-income groups on essential living items, supplemented by market research into their cost. ONS analysis of recent data shows that expenditure on food by the lowest 10% income group has risen. This was the main reason for the temporary increase.

Our research into the costs of meeting all other items - clothes, toiletries, household cleaning products, non-prescription medicines, travel and communication – is ongoing. Any further changes to the standard rate will depend on the outcome of that confirmatory work, which will take account of further evidence on costs of essential items and whether these are affected by Covid-19, will be provided in due course. Currently, there is no clear evidence that costs of essential items are rising. The ONS data shows that food prices actually fell between March and April this year.

Reports on previous reviews of the asylum support cash allowance are published on Gov.uk: <https://www.gov.uk/government/publications/report-on-review-of-cash-allowance-paid-to-asylum-seekers> These reports contain further information on the methodology of the review and the evidence used in the reviews.

The cash allowance is only one part of the overall support package, which also includes furnished accommodation, with utilities such as gas, electricity and water provided for free. The level of these allowances is not linked in any way to the level of universal credit or other mainstream benefits and there are no plans to change that arrangement.

With regards to the points raised in paragraph 6 (ii), I can report that in March and April we received 1,520 applications for Section 4 support, with 723 received in January and February. Since 23 March we have implemented a significant uplift in resource and simplified our process to support with the increasing demand for Section 4 support. Demand for support has now returned to pre-Covid-19 levels.

I also want to assure you that local authorities may provide basic safety net support, regardless of immigration status, if it is established that there is a genuine care need that does not arise solely from destitution, for example, where there are community care needs, migrants with serious health problems or family cases where the wellbeing of a child is in question.

In response to the points raised in paragraph 6 (iii) many of the wide-ranging coronavirus measures that we have put in place are not considered public funds and therefore are available to migrants with no recourse to public funds. For example, the assistance being given under the Coronavirus Job Retention Scheme and the Self-employed Income Support Scheme is not classed as a public fund and is available to all those in work or self-employment respectively. Statutory sick pay and some other work-related benefits are also not classed as public funds and so are also available.

Across Government, we have allocated more than £3.2 billion to local authorities in England, and additional funding under the Barnett formula to the devolved administrations, to help them respond to Covid-19 pressures across all the services they deliver, including services helping the most vulnerable. The funding will mean councils can continue to provide vital services, including adult social care and children's services. We have also allocated £750m funding for charities who are providing vital support to vulnerable people at this difficult time.

Migrants with leave under the Family and Human Rights routes can apply to have the no recourse to public funds restriction lifted by making a 'change of conditions' application if there has been a change in their financial circumstances. The application form has been recently digitised to make sure it is accessible for those who need to remain at home, and applications are being dealt with compassionately.

The Home Office has published information and advice on support available to migrants, including those subject to NRPF on Gov.uk.

Domestic Abuse

In response to point 7, as part of the above-mentioned Government-provided £3.2 billion of additional funding for Local Government, we will be increasing support for services helping the most vulnerable, such as victims of domestic abuse.

The Minister for Housing has written to Chief Executives of Local Authorities to ask them to work closely with domestic abuse safe accommodation providers, to ensure that victims and their families can be provided with safe emergency accommodation with appropriate support. Arrangements have also been made for Local Authorities to access additional accommodation where needed through Crown Commercial Services.

The Government has also made wider financial provision available to charities and on 5 June the Ministry for Housing Communities and Local Government announced the results of the first wave of bids to its £10m fund for the provision of safe accommodation services. £8.15 million funding will be granted to 147 service providers through 103 successful bids across all regions of England.

The remaining £1.85 million of the fund will be reopened for further applications on a rolling basis (details are at <https://www.gov.uk/government/publications/domestic-abuse-safe-accommodation-covid-19-emergency-support-fund>).

Policing

In response to point 8, I want to assure you that I take the wellbeing of our police very seriously and appreciate all that they are doing to keep us safe during this difficult time. I have already made it clear that any attack, including spitting and coughing, on a police officer is completely unacceptable and the CPS has warned that such attacks could be charged as common assault. Anyone found guilty of spitting, coughing or threatening to infect our police officers will face the full force of the law.

Testing continues to be available to all symptomatic staff. This enables them to be able to determine if they should remain isolated or can come back to the workplace. This is vital for our frontline resilience in areas such as policing, fire and rescue, and border force staff.

The advice from DHSC and PHE is that asymptomatic testing is only currently recommended under certain circumstances where clinically appropriate. These are, i) informing individual clinical management of high-risk patients (patients at risk of serious health complications and/or death should they contract COVID-19); ii) assisting with prevention of spreading in hospitals and other health and care settings; iii) informing our understanding of disease prevalence and surveillance.

The National Police Chiefs Council is currently in discussions with PHE to secure access to testing for asymptomatic officers who have been spat at or coughed on. Furthermore, The Home Office is working closely with DHSC as it develops further guidance on strategies for asymptomatic testing.

In response to point 9, the Government is immensely grateful to those citizens that are stepping up to volunteer their time as special constables and help keep our communities safe during this challenging time. Many businesses are signed up to the Employer Supported Policing Scheme, which is a partnership between employers and the police service aimed at encouraging employers to enable their staff to volunteer as special constables in the communities they serve. We are leading by example and ensuring that Civil Servants who are already volunteering as Special Constables are able to assist in the national effort to the greatest extent possible for the duration of COVID-19.

However, we must also ensure that those Special Constables, who are also part of key workforces supporting our communities through their paid employment, are not taken away from those important roles at such a vital time. That is why currently employers are able to consider where it is reasonable and possible to release special constables, should the need arise, in conjunction with the relevant force.

We will all want to learn from the COVID-19 response, and this includes considering whether change is needed in the future to further mobilise special constables.

We continue to work with the National Police Chiefs' Council to understand how forces can support and mobilise their Special Constabularies during this time where it is required.

Fraud

In response to paragraph 10, I can inform the Committee that since the crisis began, there has been a small, but persistent stream of COVID-19 specific frauds reported to Action Fraud. As of Monday 15 June 2020 (from 1 January 2020), there have been 2,450 COVID-19 related frauds and cybercrimes reported to Action Fraud, with over £7.3m lost in these frauds. COVID-19 related fraud and cybercrimes made up around 2% of all fraud reports received to Action Fraud within the week preceding 15 June 2020. ¹

Although there has been a lot of media coverage, and a lot of social media sharing of fraud and scam content, we have not seen comparable increases in reported victim numbers.

We will find out more about the overall impact of COVID-19 on fraud levels in the future, when further data - for example through the Crime Survey for England and Wales - becomes available for this time period.

In response to paragraph 10 (i), for those individuals who have sadly become victims of fraud over this period, City of London Police (COLP) have prioritised supporting COVID-19 related victims during this period (as well as courier fraud offences, due to the increased vulnerability of victims by criminals breaching social distancing). As part of COLP's work on high harm fraud types and COVID fraud, high risk vulnerable victims receive an enhanced call for service offer from forces.

When contacting Action Fraud, victims are asked a series of questions at the point of reporting and vulnerability is assessed at the outset through a Vulnerability Matrix. This provides a score to indicate whether the person reporting may require additional support from their local police force or other agencies. Victims identified as being at risk of harm are immediately referred for safeguarding.

Victims reporting to Action Fraud who are identified as vulnerable are referred to local forces on a daily basis. Nearly 200 vulnerable victims have so far been identified and have been sent to forces over the lockdown period, with forces adapting how they support vulnerable victims - replacing home visits with telephone contact where appropriate to maintain social distancing.

To answer the point at 10(ii) we are working alongside law enforcement to better understand how criminals are targeting the public, especially the most vulnerable. The National Economic Crime Centre has set up new operational structures which allow law enforcement partners to share intelligence and identify common scams.

¹ This percentage relates solely to reports received in the week spanning 8-14 June. If you were to compare the number of COVID-19 reports against all crime reports (fraud and cyber) received between 1 January – 31 May 2020 (141,035), the volume of COVID-19 reports is 1.7% of the total. If you were to compare the number of COVID-19 reports against all crime reports recorded during the lockdown period, 1 March – 31 May 2020 (82,011), the volume of COVID-19 reports equates to 3% of all crime reports received.

This information is then shared within law enforcement so that, where possible, urgent investigations and arrests can be made. Law enforcement colleagues also share information with third party organisations where relevant – including banks, trading standards and other interested organisations.

Depending on the type of fraud, law enforcement partners – working with the Home Office – have carried out different interventions. For example, where a particular type of fraud is being used, City of London Police have issued press statements highlighting the type of fraud involved; this is then amplified by third party communications and the Home Office through social media and other channels to try and raise the public's awareness.

For activity like phishing, the National Cyber Security Centre (NCSC) have been encouraging the public to use its new Suspicious Email Reporting Service. This service removes fraudulent or malicious sites – since its launch in April, the service has received over 897,000 reports - resulting in the successful removal of over 87,000 malicious URLs and over 3,300 previously unknown scams (as of 14 June 2020).

As noted above, Action Fraud has not seen significant increases of reported fraud. During the early stages of COVID-19, overall fraud reporting actually dropped. Whilst fraud reports have started to return to more normal pre-COVID-19 levels – it would not be accurate to say that Action Fraud has seen significant increases in reports of fraud.

Since the crisis began, Government and law enforcement colleagues have worked tirelessly to identify and disrupt those seeking to use online platforms to commit these crimes. With regard to your specific questions in paragraph 10(iii), Commander Karen Baxter, from City of London Police provided the answers to these questions to the committee as part of your evidence gathering session on the 3 June.

The Department continues to receive weekly monitoring reports during the COVID -19 period, to monitor the performance of Action Fraud. Action Fraud, like many services, has faced major operational challenges of their own during this period – successfully revising their delivery model to enable their staff and systems to cope with new social distancing measures. Despite these challenges, Action Fraud has maintained the vital service it offers to the public throughout this period.

However, whilst City of London Police have made significant efforts to ensure that the Action Fraud system remains operational – we recognise that Action Fraud itself has serious, long term problems, which need to be rectified. The Department are working closely with the City of London Police to address the recommendations from Sir Craig Mackey's independent review of Action Fraud and NFIB. The findings and recommendations of that review were published on 24th January: <https://www.cityoflondon.gov.uk/about-the-city/Pages/police-authority.aspx>.

The Home Office will continue to work closely with City of London Corporation, the City of London Police and the National Crime Agency to address Sir Craig Mackey's recommendations over the coming months.

Whilst there is clearly more work needed to improve the Action Fraud service, I wanted to clarify that Action Fraud is not responsible for investigating fraud.

Once a report of fraud has been made, if there is sufficient evidence to allow further investigation, a case is created and sent to the appropriate police force to consider whether enforcement activity should take place. It is up to forces to make operational decisions about which intelligence packages they pursue or not, depending on their capacity.

Over the COVID-19 period, despite significant new pressures placed on forces, forces have continued to investigate fraud cases. Where there is the potential threat to life (as with some instances of fake COVID-19 testing kits or fake COVID-19 PPE) we have seen forces acting extremely rapidly to intervene to help safeguard victims.

I trust that this update demonstrates the fortitude with which Government and law enforcement is facing the threat from COVID-19.

Yours sincerely,

W. K. all good wishes


Rt Hon Priti Patel MP
Home Secretary