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Home Secretary

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Rt Hon. Dame Diana Johnson MP
Chair, Home Affairs Select Committee
House of Commons
London
SW1A 0AA

21 June 2022

Dear Chair,

Thank you for your letter of 8 June following David Neal's evidence session. I will reply to your questions in turn.

You asked why I have not met the Independent Chief Inspector of Borders and Immigration.

It is unfortunate it has not been possible to meet Mr Neal in person. I trust the committee will understand the nature of my role and parliamentary commitments require regular adjustments to my diary, often at short notice. I am pleased that the Ministers for Safe and Legal Migration and for Justice and Tackling Illegal Migration meet Mr Neal regularly; both keep me apprised of the important work of the Inspectorate as inspections are progressed. It is important Mr Neal has access to Directors General and I was pleased to note his comments about their good relationships.

You asked for an update on the department's implementation of recommendations 9 and 10 of the Windrush Lessons Learned Review.

I remain committed to an Independent Review of the Independent Chief Inspector of Borders and Immigration, in line with the undertakings given in the Comprehensive Improvement Plan. However, the timing of the review is dependent on the appointment of an independent reviewer for which arrangements have been temporarily paused. It is important that we get the right person to lead this review and my team will continue to keep the ICIBI informed.

I also remain committed to introducing a Migrants Commissioner and I recognise the value it will add by providing a voice for migrants, supporting policy development and operational activity through the facilitation of feedback. It is therefore vital that we get this right. I have agreed to pursuing the Windrush Cross Government Working Group's proposal of using a stakeholder group, led by a publicly appointed chair and I am currently considering options for implementing this function.

You asked for confirmation of the Department's intent to implement recommendation 10 in line with the (original) Windrush Lessons Learned Review.

I trust the committee will be reassured by Wendy Williams' progress update, which confirmed having had sight of the outline terms of reference and the recruitment pack for the independent reviewer. Both were found to be broadly in line with the intention of the original recommendation. Once appointed, it is only right the independent reviewer has an opportunity to finalise the terms of reference.

You asked for an explanation at the lack of official update on implementation progress of ICIBI recommendations; and commented on the ICIBI's statutory role.

Officials have been candid with the Inspectorate in acknowledging a full update is overdue and have, in the meantime, ensured the ICIBI is apprised of progress when related inspections and re-inspections are announced. A comprehensive update will be shared with the ICIBI as soon as possible to confirm the number of recommendations that have been implemented and closed during the last two years and with updates on those that remain open. I am hopeful that Mr Neal will be assured that satisfactory progress has been made on closing recommendations. It was disappointing to hear Mr Neal's comments and we will work to restore his confidence.

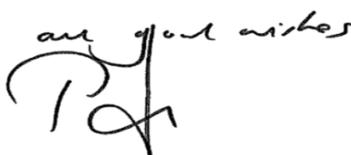
It is important to note the ICIBI has attended and observed several meetings in which the department's approach to external scrutiny is routinely covered. I do not agree the ICIBI's statutory role is undermined but my senior officials can invite Mr Neal to raise any issues at their next meetings to allay concerns.

I value the independent scrutiny that ICIBI reports bring, and we will continue to carefully consider each recommendation before publishing a full response to inspection reports on Gov.UK. On the few occasions when a recommendation cannot be accepted, this is clearly articulated. The ICIBI issued thirteen inspection reports between April 2021 and March 2022, From the twelve reports already published, which contained 73 recommendations, only five recommendations were not accepted. The Department accepted 68 recommendations, of which 50 were in full and 18 were partially accepted.

You asked why the department has not met the ministerial commitment to lay ICIBI inspection reports before parliament within eight weeks, where possible.

I take the commitment seriously, but it is right we consider each inspection report and its recommendations carefully. Both houses must be sitting for ICIBI reports to be laid, so parliamentary recess has been a contributory factor in our ability to release certain reports, but we endeavour to consider inspection reports and begin implementation work swiftly. It is worth noting there are occasions where recommendations have been implemented by the time a report is published. This demonstrates our openness to scrutiny and our commitment to driving improvements across the system. I will endeavour to lay the ICIBI's inspection report on processing arrivals at Tug Haven and Western JetFoil as soon as possible.

Yours sincerely,

With our good wishes


Rt Hon Priti Patel MP