



Home Office

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Dame Diana Johnson MP
Chair, Home Affairs Committee
House of Commons
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BY EMAIL ONLY

27 March 2023

Dear Dame Diana,

Thank you for your letter of 2nd December 2022 following up our HASC appearance on the work of the Home Secretary on 23rd November 2022.

Please see below our responses to the first and second set of questions in your letter.

1. At Question 439 of the transcript, Dan O'Mahoney, the Clandestine Channel Threat Commander, said that he "would get an answer" to the Committee on how many Albanian officials were in the United Kingdom working with the Home Office or Border Force. May we have that answer, please?

We have had one Albanian State Police Officer, deployed in the Albanian embassy working closely with us and the intention is to deploy an additional Officer, to provide invaluable insights and facilitate data exchanges.

We are also continuing to work with the Albanian government to secure further short-term deployments to assist with the sharing of information around small boats crossings. As the Committee will be aware, the number of Albanians crossing the channel has reduced significantly from the Autumn.

2. At Q.443, Mr Loughton asked you to confirm that the number of people making modern slavery claims who have been returned to Albania was zero, or to provide a correct figure if that were wrong. May we have that confirmation, or that figure?

When a referral to the National Referral Mechanism (NRM) has been made, removal is only applicable following a conclusive grounds decision.

For NRM referrals raised in 2020, 2021 and 2022 (to 30 September), there have been 50 Albanian enforced returns following a conclusive grounds decision.

3. At Q.460, Mr O'Mahoney said that he would write with details of how many people were in Manston each day from the middle of August 2022. May we have those figures, please?

Please find the figures at Annex A.

4. At Q. 462, Mr O'Mahoney said that he would check the audit trail and write with details of what authority was provided to hold people at Manston for periods of up to 20 or 30 days.

Was authority sought from the appropriate level of officer to enable periods of detention for longer than 24 hours at Manston?

Was that done on an individual, case-by-case basis, or was some blanket authority provided?

How many individual authorisations of stays at Manston were issued between 15 August 2022 and 23 November 2022?

Over 18,000 people arrived in the United Kingdom and were processed through Manston during the period in question. My officials assess each arrival, making decisions about their accommodation on a range of factors, including their vulnerability.

Despite the unprecedented number of arrivals, the Home Office worked hard to comply with our policies in relation to detention. No express blanket authority was provided and people accommodated at Manston were considered on a case by case basis for movement to asylum accommodation when it became available.

Our priority during this time was to ensure people were moved to asylum accommodation as quickly as possible, it is not possible to provide you with the number of individual authorisations of stay.

5. At Q. 465 onwards, the Permanent Secretary said that he did not recognise the figure of 97% of claims made via the national referral mechanism of modern slavery as being genuine, and was asked to come back with an alternative figure. May we have that alternative figure?

When referred to the NRM, the Home Office makes a 'reasonable grounds' decision on whether an individual could be a victim of modern slavery. Adults who are given a positive reasonable grounds decision can have access to support pending a 'conclusive grounds' decision on their case.

The Home Office publish data on the percentage of positive reasonable grounds and conclusive grounds decisions. A negative reasonable grounds or conclusive grounds decision does not mean a claim is not genuine.

The most recent data is published at: <https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-october-to-december-2022/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-quarter-4-2022-october-to-december#national-referral-mechanism-decisions>

6. At Q. 470, Mr McDonald requested evidence of abuse of claims of modern slavery. Please provide examples of any such abuse.

On 7 March 2023 the Government published research and analysis on modern slavery referrals for people detained for return after arriving in the UK on small boats. That report can be found at: <https://www.gov.uk/government/publications/modern-slavery-referrals-for-people-detained-for-return-after-arriving-in-the-uk-on-small-boats/modern-slavery-referrals-for-people-detained-for-return-after-arriving-in-the-uk-on-small-boats>

It may interest the Committee that where people were detained for return after arriving on a small boat, nearly three-quarters were referred as potential victims of modern slavery in 2021, and two-thirds between January and September 2022. This compares with less than 3% of people who arrived in 2021 being referred to the national referral mechanism within 3 months where they were not detained for return.

In addition, please see four recent, examples of where it is felt the national referral mechanism has been misused. Please note that we have taken care to anonymise these examples while aiming to be as helpful as possible to the committee:

(1) A Brazilian national arrived in the UK with a valid visit visa. He was subsequently encountered working illegally by immigration officers and his visa was curtailed.

He was detained and indicated he wished to depart the UK voluntarily. However, before removal directions could be set, he instead claimed asylum.

During his detention induction he had been explicitly asked if he had been a victim of exploitation but did not raise any issues or trafficking grounds. Nor did he do so during his screening and substantive asylum interview.

His asylum claim was refused and certified as clearly unfounded, meaning he could only appeal against the refusal from outside the UK. Further submissions were also refused but when served with his refusal letter, he indicated he did not wish to return and would continue trying to remain in the UK.

He then provided information leading to an NRM referral, despite having never previously intimated any exploitation and numerous opportunities to do so.

(2) An Iraqi national entered the UK illegally by small boat and claimed asylum. He had his initial screening interview where he was explicitly asked if he was exploited en route to the UK to which he stated that he was not.

Having been identified as travelling through safe countries en route to the UK, he was assessed as suitable for relocation to Rwanda under the Migration and Economic Development Partnership (MEDP) and consequently detained.

He was issued with a Notice of Intent informing him that he may be suitable for relocation to Rwanda and that should he have any reasons he believes he would not be to submit them within 7 days. He was again explicitly asked if he were exploited en route to the UK and he stated he was not.

A medical report was then submitted on his behalf asserting that he may have been a victim of torture previously, however it made no reference to having been a victim of trafficking. He also submitted representations under Article 8 of the ECHR which made no claim to him having been a victim of trafficking.

His asylum claim was deemed inadmissible and refused. In addition, his Human Rights claim was refused and certified as clearly unfounded and he was served with removal directions to Rwanda.

He then provided information leading to an NRM referral, despite explicitly claiming numerous times he had not experienced exploitation.

(3) A child sex offender received a sentence of over 10 years imprisonment. At the end of their custodial sentence, they made a claim purporting to be a victim of modern slavery.

After going through the NRM process they put in a further legal challenge once removal directions were in place which was ultimately unsuccessful in obtaining further leave to remain here.

(4) Two individuals arrived via small boat in May 2022, did not claim asylum and were detained for return to Albania. Both subsequently claimed asylum and to be victims of modern slavery via their legal representatives, receiving Positive Reasonable Grounds decisions.

The Home Office maintained detention and referred for consideration of relocation to Rwanda under the MEDP and served a Notice of Intent to treat their asylum claims as inadmissible.

However, both were released from detention on bail by an Immigration Judge. This was due to our inability to progress to relocation whilst the MEDP legal challenge is outstanding.

Both subsequently received a positive conclusive grounds decision, however having left the UK clandestinely, they were shortly afterwards arrested in Belgium on trafficking charges.

7. At Q. 476, the Permanent Secretary said that he would check the specific question of whether any investigation occurred or guidelines were issued as a result of claims that children arriving at Manston were pressured or encouraged to say that they were adults. May we have the results of that check, please?

We have an established process to determine age. Age assessments are carried out upon arrival at the Western Jet Foil, and those assessed as or being treated as children are routed to the Kent Intake Unit for registration. Those assessed as adults, will be moved to Manston for border security checks and where possible, for asylum registration to take place.

In the absence of documentary evidence, Home Office officials will treat a claimant as an adult if their physical appearance and demeanour very strongly suggests that they are significantly over

18 years of age. This is carried out by two Home Office officials who independently assess whether a claimant is an adult, and we have on-site social workers who support the process and are on-hand to provide expert advice.

The age assessment process Home Office officials follow is set out in our published guidance which can be found at:

<https://www.gov.uk/government/publications/assessing-age-instruction>

If there is doubt whether a claimant is an adult or child, they will be referred into a social services department for a careful, case law-compliant age assessment and they will be treated as a child until a decision on their age is made.

If evidence is provided to demonstrate that errors in process have occurred, the Home Office commits to fully reviewing this.

8. At Q. 481, the Permanent Secretary said that he would check the rules on who can share with whom in hotel accommodation and write to us. May we have the results of that check, please?

The Home Office provides separate accommodation for Unaccompanied Asylum-Seeking Children (UASC) and Single Adults and Families. Sharing of accommodation varies and is dependent on the cohort to which asylum seekers belong. Below is an explanation of the different forms of accommodation, and guidance around accommodation arrangements:

UASC Accommodation

UASCs are housed in hotels which are specifically designated for under-18s.

Single Adult and Family Accommodation

The Asylum Accommodation and Support Contracts (AASC) permit the use of room sharing for some service users, providing it complies with the strict criteria set out in the contracts Statement of Requirements (www.contractsfinder.service.gov.uk). This includes compliance with relevant national and local housing regulations including any advice from social services and primary and secondary care bodies on whether room sharing is inappropriate for individual cases. These contract standards apply equally to all types of accommodation setting and are not limited to temporary contingency accommodation such as hotels.

A summary of the requirements is as follows:

- The Provider shall allocate accommodation to individuals and/or groups of individuals in accordance with the sharing criteria set out in Schedule 2 of the AASC Statement of Requirements. In all cases the criterion in the contracts is subordinate to all Relevant Law. The accommodation providers may allocate accommodation such that the following may share the same sleeping quarters:
 - husband and wife;
 - persons who the Authority has agreed may cohabit;
 - related children of the same sex under 16 years of age;
 - related children of different sexes under ten years of age (or 16 years of age where they are all IA Service Users);

- couple and one child under ten years of age (or 16 years of age where they are all Initial Accommodation (IA) Service Users);
 - single parent and one child under ten years of age (or 16 years of age where they are all IA Service Users); or
 - couple or single parent and more than one of their children under the age of 16 (provided they are all IA Service Users).
- Sleeping quarters must always be appropriately sized for the number of occupants and the occupancy of each bedroom shall not exceed that specified in the appropriate space standard, as defined in relevant legislation and/or in Local Authority licensing requirements, where applicable.
- The Provider shall not accommodate:
 - unrelated adults of the opposite sex, in the same sleeping quarters, without the prior consent of the Authority;
 - Individuals or groups of individuals in the same Accommodation, where the Authority has specified that they should not share;
 - individuals or groups of individuals within the same Accommodation where this would be contrary to the Authority's instructions issued for medical, disability-related or other reasons; and/or
 - individuals or groups of individuals within the same Accommodation if Local Authority services or primary or secondary care bodies advise otherwise, unless explicitly authorised by the Authority.
- The Provider shall not accommodate the following Service Users in the same sleeping quarters with other unrelated adults:
 - Service Users who the Authority or the Provider have identified as having specific needs or being at risk;
 - pregnant Service Users who are within six weeks of their due date; and
 - any other Service Users where the Authority instructs that they should not share sleeping quarters with other Service Users.

9. At Q. 495, the Permanent Secretary said that he would follow up points made by Paula Barker about proposed use of a derelict site that had not been an hotel for 17 years for asylum accommodation. May we have that follow-up, please?

When finding sites for asylum accommodation our service providers identify properties and propose them for consideration by the Home Office. If the proposal is approved by the Home Office, the service provider conducts due diligence ensuring the hotel is regulation compliant and fit for purpose.

In this specific case, a notification letter was issued at the point of proposal. Once the Home Office decided the site was not suitable it did not communicate this decision to Paula Barker MP and I apologise for the breakdown in communication. With improved engagement protocols now in place, this gap in communication should be addressed in future engagements.

10. At Q. 497, you said that you wished to be as transparent as possible on points raised about distribution of hotel accommodation, and the Permanent Secretary said that you would find a way of sharing whatever information was possible once work was complete. Within the

constraints you identified, what further information can you provide in relation to the points raised during that part of the Committee's hearing?

The Home Office is committed to ensuring that destitute asylum seekers are housed in safe, secure and suitable accommodation. Home Office service providers are tasked with identifying all appropriate options to ensure that suitable accommodation is secured quickly, including contingency accommodation such as hotels, as required. The providers work with the market to offer a range of options across the UK that are safe, habitable and fit for purpose.

Following the joint-letter of 9 November from this Committee and the Levelling Up, Housing and Communities Committee, we have been undertaking some work to set out more clearly where we are placing people around the country. We have provided further data on hotel usage in response to that letter.

11. At Q. 506, the Permanent Secretary said he would write to say how much Teleperformance paid in penalties for its poor performance in relation to passport provision earlier this year. May we have that figure?

The Home Office has invoked, and will continue to invoke, penalty clauses as and when appropriate. However, the content of those clauses, and the value of penalties invoked, is commercially sensitive and I am therefore unable to share that information.

Since the beginning of November, HMPO has been processing straightforward UK standard passport applications within the pre-pandemic service level of 3 weeks. However, we continue to advise customers to allow 10 weeks for their application to be processed because of the potential for the high levels of demand seen in 2022 to occur again in 2023.

12. At Q. 535, I asked whether you might provide further information on publication of the fraud strategy.

We recognise that tackling fraud requires a unified and co-ordinated response from government, law enforcement and the private sector and we hope to publish the fraud strategy shortly setting out this response.

We've been working closely with partners to develop the strategy this year. We hope to publish soon in the new year.

13. At Q. 535, I asked whether we might have further information why the plan to develop Linton-on-Ouse was cancelled.

The Secretary of State for the Ministry of Defence made a decision to withdraw the offer of priority access for the Home Office to the site, following which the Home Office took the decision not to progress its proposals for use of the site as asylum accommodation.

14. At Q. 535, I asked, in relation to exceptional circumstances around detaining people at Manston, how many were detained for up to five days and how many were detained beyond five days. May we have those figures for the period between 15 August and 23 November?

Our priority during this time was to ensure people were moved to asylum accommodation as quickly as possible. Although we have recorded information relating to the length of time people

were at Manston during this period, a manual review of individual records would be required to provide a robust answer to this question

As part of the learning from this period, we put in measures to improve our record keeping at Manston.

15. At Q. 535, I asked whether we might see advice given to members of staff at Manston (Border Force, immigration officers and contractors) about the legal basis on which Manston operates and on what powers those staff had and could use. May we have that information, please?

The following guidance was sent out to Home Office staff:

Use of Force

In response to queries raised by colleagues, Legal Advisers have advised that use of force by Immigration officers is permitted where it is tied to a clear, specific function under the Immigration Acts.

Immigration officers have the power to detain individuals at Manston under paragraph 16(1) of Schedule 2 to the Immigration Act 1971. They have the power to use reasonable force to maintain orderly detention. There are other specific powers available to immigration officers which can be relevant to situations at Manston:

- *Para 18A of Schedule 2 to the 1971 Act – power to search for items that could cause physical injury or aid escape;*
- *Para 18(3) of Schedule 2 to the 1971 Act – power to move people to different parts of Manston to carry out any detention function;*
- *Section 23 of the UK Borders Act 2007 – power of arrest without warrant if the officer reasonably suspects the person has committed or is about to commit an assault against an immigration officer. There must be an intention to arrest to use this power.*

It is important to note that the use of force must always be reasonable, proportionate, kept to the minimum necessary and applied in accordance with the HO guidance on use of reasonable force.

Responses below are on the second set of questions in your correspondence.

1. At Q. 458, the Permanent Secretary said that the success of the Rwanda MEDP would be measured by “how many thousands of people do not make the dangerous crossing of the Channel”, adding that that was the key metric on value for money. In that respect, a) what measurement has been done of how many thousands of people have not crossed the Channel since the MEDP was announced in April 2022 as a result of that policy’s being announced; b) what methodology is being used to judge the deterrent effect of the MEDP in relation to its value for money; and c) what number of deterred crossings annually would qualify the scheme as representing value for money? If, in answer to c), there is no such figure, on what metric would the scheme qualify as being value for money?

While we welcome the recent judgment of 19 December in the High Court which found the Migration & Economic Development Partnership (MEDP) to be lawful, permission to appeal has been allowed. The Home Office’s focus remains on moving ahead with the policy as soon as possible and we stand ready to defend against any onward appeal or further legal challenges.

As the policy has not yet been implemented due to litigation, it is not possible to have a clear basis for evaluating its value for money.

Until relocations commence, I would not expect to achieve any sustained deterrent impact from this partnership. However, it stands to reason that for those willing to pay smuggling gangs thousands of pounds to facilitate a dangerous and illegal journey to the UK, the probability of relocation to Rwanda at the end of that journey, will prove a deterrent.

I have consistently said there is no single solution to tackle the issue of illegal migration; we need to seek radical new approaches to fix this global migration crisis.

While I understand it is not possible for HMG to accurately model the deterrent effect from day one, together with Rwanda, we are confident this policy is our best chance at producing that effect. It is only by introducing new incentives and effective deterrents into the system, as international partners like Greece and Australia have done, that we can take on the criminal gangs facilitating illegal entry and break their lethal business model.

The Government regularly publishes data on small boat detections.

Daily data is published at:

<https://www.gov.uk/government/publications/migrants-detected-crossing-the-english-channel-in-small-boats/migrants-detected-crossing-the-english-channel-in-small-boats-last-7-days>

A longer time series is published at:

<https://www.gov.uk/government/publications/migrants-detected-crossing-the-english-channel-in-small-boats>

Irregular migration statistics, which presents data on small boats detected over time, is published quarterly at:

2. At Q.512, you said that you could not commit to a timeline on legislation you had previously told the House of Commons would be introduced this year. Will you provide details of what legislative change is envisaged and will that legislation be introduced within the current parliamentary Session?

As I indicated, I am committed to bringing forward further legislation to protect lives by breaking the business model of the criminal gangs who facilitate illegal entry into the UK by perilous and potentially fatal means. The legislation is in development, and I will set out the details in due course. We need to tackle this issue urgently, consequently I aim to introduce the legislation as soon as possible.

3. What estimate has your Department made of its potential liability to successful claims for unlawful detention at Manston during the period between August and 23 November 2022?

As mentioned during the evidence session, the department is dealing with a number of pre-action protocol letters in relation to Manston but, as yet, no applications for judicial review.

Liability in relation to unlawful detention has been considered when preparing responses to those letters. We will not comment on liability, as to do so may impinge on legal advice privilege.

4. At Q. 431, you said that the National Referral Mechanism was created in 2014. It is our understanding that the NRM was established in April 2009. Would you confirm whether we are correct in that understanding?

The National Referral Mechanism (NRM) was established after the UK Government ratified the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT), which came into force on the 1st April 2009.

The way in which we recorded data relating to the National Referral Mechanism changed in 2014 and I was making a comparison with the position in 2014 as part of my evidence.

5. At Q. 435, you said that “because the system has been overwhelmed, largely by people coming here illegally on small boats, it is now taking more than 400 days” to deal with modern slavery claims. It is our understanding that the median average wait for a conclusive grounds decision first exceeded 400 days in Q4 of 2018, a year in which 299 people arrived by small boat. Is our understanding correct that the NRM media average wait has exceeded 400 days since before the sharp rise in the number of small boat crossings began? Would you also confirm in which year the 40-day average to which you referred in your answer was achieved?

Further to my evidence at the session, I can confirm that the lowest average conclusive grounds decision making time was in fact 63 days in 2014, not 40 days

It is correct that the median time to receive conclusive grounds decisions first surpassed 400 days in Q4 2018 and that there were 299 small boats arrivals in 2018.

However, despite an increase to the number of Competent Authority decision makers since 2018, the median days taken for a conclusive grounds decision has still broadly increased and the cumulative impact on the system of those arriving illegally by small boats has been a significant factor in this.

Please see below responses to the final set of questions:

1. More than 300 children were living in 5 hotels in early September, and 222 children were recorded as missing in mid-October. How will you stop placing children in hotels and ensure the National Transfer Scheme can work more effectively to place them in care?

Ending the use of hotels for unaccompanied asylum-seeking children (UASC) is an absolute priority and we will continue to work around the clock with councils to increase the number of care placements available.

A weekly Cross Whitehall taskforce has also been established to work together in UASCs best interests to address the challenges presented by the increase in the number of children arriving, and to ensure the National Transfer Scheme runs as efficiently as possible so there is fair distribution of children across the UK

From 16 December 2022, the Home Office introduced a new conditional lump sum payment of £15,000 to accompany the transfer of each eligible UASC to reduce the number in hotels by the end of February 2023.

2. One of your Department's priorities is ending the use of hotels to house people who are seeking asylum in the UK. Where do you plan to accommodate those people? When?

It is unacceptable that we are spending upwards of £7 million every day on using hotels to house asylum seekers. To help end this we will shortly bring forward a range of alternative sites. We have already identified locations that could accommodate 10,000 people, and are in active discussions to secure these and more. Our aim is to add thousands of places through this type of accommodation in the coming months, at half the cost of hotels.

The cheapest and fairest way to solve this problem is for all local authorities to take their fair share of asylum seekers in the private rental sector, and we are working to achieve this as quickly as possible. We have developed regional/national plans with Local Authorities and Providers to support the implementation of full dispersal, with further work ongoing to agree final plans. Funding has been made available to provide Local Authorities £3,500 for each new dispersal or initial accommodation bed space occupied, in both new and existing dispersal areas, between 28 March 2022 and 31 March 2023.

We are also continuing to increase, and aim to double, the number of asylum decision makers, whilst improving productivity so that people spend less time in asylum accommodation. We are streamlining and modernising the end-to-end process, with improved guidance, more focused and fewer interviews, enhancing use of digital technology, and we are introducing a more efficient approach to how claims are handled by decision makers. The aim is to clear initial

asylum decisions relating to claims made before 28 June 2022, when the Nationality and Borders Act measures came into force, by the end of 2023.

3. Will Royal Navy involvement in channel crossing operations end in January 2023 or be extended? If military involvement remains after January next, what change, if any, will you seek in the role the Royal Navy performs?

Primacy for the operational response to these dangerous, illegal and unnecessary crossings has returned to the Home Office under a new, permanent, unified Small Boats Operational Command. The Command brings together our military, our civilian capabilities and the National Crime Agency and will co-ordinate our intelligence, interception, processing and enforcement, using all available technology.

4. What other countries have entered into discussions with the UK about reaching an agreement with the UK similar to the MEDP with Rwanda?

As part of our determination to fix the broken asylum system and deter these illegal crossings, the UK remains interested in working with multiple international partners. However, it is not helpful for us to comment on speculation around discussions.

5. How much has the Home Office spent to 23 November 2022 on cancelled flights to Rwanda and Rwanda-related legal cases?

We are unable to confirm the total running figure to date of the legal fees of Rwanda-related legal cases. Legal proceedings in respect of the partnership between the UK and Rwanda are ongoing and a further hearing will take place on 16 January where the court will decide the next steps, if any, in the UK litigation.

Our focus remains on moving ahead with the policy as soon as possible and we stand ready to defend against any onward appeal or further legal challenges.

In relation to the cancelled flight on 14 June, we work with an independent commercial broker to ensure we get the best value for money. Costs for individual flights will vary based on a number of different factors. We therefore cannot give a current estimated cost. Actual spend will be reported as part of the annual Home Office Reports and Accounts in the usual way.

6. The Home Office has pledged to recruit 20,000 extra police officers by June 2023. How confident are you that the rest of the criminal justice system will be able to deal with the additional workload this will create for courts and prisons and probation?

The Home Office continues to work closely with policing partners, the Ministry of Justice and the Crown Prosecution Service (CPS) to consider how projected demand from policing feeds into the rest of the Criminal Justice System (CJS), including the impact of the police uplift programme. This is a continuing engagement commitment and will not end when the uplift programme has completed.

Predicting future crime trends and the projected behaviour of the justice system will always involve uncertainty. To that end, we must be realistic about the limited evidence we have from

which to forecast future case mix and trends in charging volumes – and therefore consider a “scenario based” approach with CJS partners. This includes regularly reviewing and sharing modelling assumptions which influence the likelihood of a given scenario, including assessments of the factors driving demand including crime workload and officer experience.

For example, a shift to higher harm cases in the case mix are likely to feed into slower downstream pressures, but larger rises in the prison population. Other factors influencing charge volumes include the complexity of evidence and investigations, volumes of, mostly digital, material involved and operational processes between the CPS and policing. Ongoing work within the department is aiming to develop a greater insight into policing behaviours, particularly around deployment and charging, and consequently provide an improved evidence base for demand flows and the impact on the downstream relationship with other CJS partners.

What progress has there been on the review of the Police Allocation Formula?

The Home Office recognises that the current police funding formula is out of date and no longer accurately reflects demand on policing. A review of the funding formula was launched in 2021 to ensure that it fairly and transparently distributes the annual core grant funding to the 43 police forces in England and Wales. In developing a new formula, we are considering the demands facing each police force and the relative impact of local factors (such as estates costs) on the resource required to meet demand.

We are committed to ensuring clarity and transparency in any new funding arrangements, and as such, officials are operating an open-door policy to PCCs and Chief Officers throughout the Review. We are also working closely with a Senior Sector Group and Technical Reference Group, with representation from the policing sector and relevant experts, who advise on development of a new formula.

A letter has been sent out to the sector, confirming we are preparing to publish a first public consultation in 2023, which will set out the broad principles of the Review and consult on the purpose, structure and components of a new formula.

7. What do you see as the risks of rapidly recruiting 20,000 police officers when vetting departments are “massively overwhelmed” and the policing Inspectorate has identified major concerns about vetting processes?

Meeting the commitment to recruit an additional 20,000 officers has not been, and will never be, at the expense of public safety.

This Government has ensured all forces have been supported as they recruit officers and work towards meeting the 20,000 additional officers, including funding to deliver significant improvements to recruitment processes and improve infrastructure. This funding, as recognised by the recent HMICFRS investigation report into vetting, has also been provided to enable investment in staff, such as vetting teams.

Furthermore, through the Police Uplift Programme the Government has supported forces to review their vetting capacity and provided recommendations to forces as to how they can increase their capacity and efficiency to recruit additional officers and comply with pre-employment standards, as set by the College of Policing.

In light of the significant investment and support provided, it is deeply disappointing that forces are taking unnecessary risks in vetting. This is a matter for each Chief Constable, and I welcome their commitment to addressing the inspectorate's recommendations in full. The Inspectorate has also just recently been asked to carry out a rapid review of forces' response to the report.

8. The Home Office has announced an “internal review” of police dismissals. Will the findings of that review be publicly available? When can we expect the review to report?

The Home Office launched its review into the process of police officer dismissals on 17th January and it is expected to be completed within approximately 4 months. The Terms of Reference for the review can be accessed here:

<https://www.gov.uk/government/publications/police-officer-dismissals-review-terms-of-reference/review-into-the-process-of-police-officer-dismissals-terms-of-reference>.

We will provide an update on next steps, once the findings of the review have been carefully considered.

9. You said recently [at the NPCC and APCC's Summit] that you wanted to see policing work better together with the NHS to support people with mental health problems and reduce inappropriate demand. What conversations have you and your Ministers had with counterparts at the Department for Health and Social Care and Department for Levelling Up, Housing and Communities to ensure effective partnership working across agencies?

People in mental health crisis need the right support from the right agency and ensuring that appropriate health and social services are available to respond to those in crisis is therefore a priority for this government. The Home Office has regular engagement with a range of different partners working on this important agenda to ensure effective partnership working; this includes the Department for Health and Social Care (DHSC), NHS England, the National Police Chiefs' Council and others. The Crime and Policing Minister wrote to the Minister for mental health at DHSC in November 2022 to set out concerns around increased demand placed on police forces, dealing with non-crime demand such as public safety and welfare, dealing with vulnerable people, people with mental health problems and with missing persons. It was also a topic discussed at the November National Policing Board with the Home Secretary, Ministers and senior police leaders. The Crime and Policing Minister also convened a mental health roundtable in December 2022 with senior police and health partners to identify ways to continue to improve effective partnership working across agencies and there will be further such meetings.

10. You wrote to police leaders on 23 September saying you expected them to “cut homicide, serious violence and neighbourhood crime by 20%.” Is that still your plan? If it is, what baseline measure have been established for individual crimes beyond homicide, and by which date do you expect those cuts to be achieved?

Our manifesto clearly set out the government's ambitions to tackle crime, from recruiting 20,000 additional police officers, to strengthening their powers and introducing tougher penalties for

offenders. The targets referred to in my letter to police leaders are whole of government targets that have been in place internally since early 2020 and set our ambitions with regards these offences for the duration of this parliament.

With regards to the baseline measures for serious violence and neighbourhood crime, we monitor serious violence using hospital admissions for under 25s for assault with a sharp object, as this focusses on the very serious end of youth violence. Neighbourhood crime comprises incidents of domestic burglary, theft of or from a vehicle, personal robbery and theft from a person and is measured using the Crime Survey for England and Wales.

11. Would you confirm when we can expect the Government's overdue consultation response on legal advice for victims and survivors of rape?

The Ministry of Justice is continuing to analyse findings from the consultation into the issues of support and access of legal advice for rape victims so that they can understand and challenge personal information requests from the police. These findings are being considered alongside wider Rape Review actions we are taking on third party material. A response will be published in due course.

12. When will the Government response to consultations on personal records sought for criminal investigations be published? And the response on providing legal advice for all victims of rape?

The government response to the consultation was published on 20 January.

Please see the answer to Q11 for the MoJ response on providing legal advice for all victims of rape.

13. The ACMD has repeatedly recommended that cannabis be classified as a Class C drug [in 1979, 2005 and 2007]. If the ACMD is consulted on this issue again and repeat this recommendation, will you accept it?

Dame Carol Black's review of Drugs, published in 2020, identified that after heroin and crack cocaine, cannabis is the most common drug that results in people seeking treatment (around 25,000 people in 2017/18) and poses a large number of health risks, including psychological and respiratory disorders, particularly given recent increases in potency. Cannabis is controlled under Class B of the Misuse of Drugs Act 1971 as there is clear scientific and medical evidence that cannabis is a harmful drug which can damage people's mental and physical health, and harms individuals and communities. As such, the Government's stance remains unchanged, we have no plans to reclassify cannabis as a Class C drug.

14. On 1 November 2022, the Minister for Security announced a taskforce would be established to "defend the democratic integrity of our country", and that more details would be set out in the update of the integrated review. When will this be published? Can you provide more detail on the work the taskforce will undertake? How will the success of the taskforce be measured?

The Minister for Security has established the new *Defending Democracy Taskforce*, which was announced on 1 November 2022. Its first meeting took place on 28 November.

The Taskforce's objective is to improve the coordination of the Government's work to protect UK democratic processes, institutions and society and to drive progress across these areas. It will report to the Prime Minister via the National Security Council.

The Taskforce will use the forthcoming refresh of the Integrated Review, being published in the Spring, to set out the UK Government's increased ambition and approach. This work will be supported by a small, newly established joint unit of officials from across Whitehall who will work closely with the teams of Taskforce members. This unit's work will include a partner engagement strategy in the new year.

Further details can be found in the Terms of Reference for the Taskforce, copied below at Annex B.

15. Why are you looking to replace Motorola as a key supplier of the ESN programme?

The contract providing user services for the Emergency Services Network (ESN) which is known as Lot 2 was due to expire in December 2024. Following Motorola's decision not to extend the contract beyond the end of that contract period, The Emergency Services Mobile Communications Programme (ESMCP) and Motorola Solutions UK Limited have mutually agreed to terminate the contract providing user services for the Emergency Services Network (ESN) as of 19 December 2022.

A termination notice was published on the government's Contracts Finder website on 20 December. This agreement allows the Programme to focus on future delivery while freeing resources currently tied with the delivery of Lot 2 and is the most cost effective and expedient way to terminate the user services contract and exit the relationship with Motorola.

Motorola will continue to be involved in technical and performance testing for a further 12-month period. Airwave is delivered by Motorola under separate contracts and is unaffected by these changes.

ESMCP has started a market engagement exercise to begin the process of procuring a potential new supplier to deliver user service including push to talk applications, and services for the ESN data service, Connect. This will open the work out to fair and commercial competition. Current market activities surrounding re-procurement of Lot 2 will result in a change to the Programme's timeline and we will know more once re-procurement activity concludes and integrated delivery plans are built. The Programme will continue to keep user organisations updated and remains committed to work to deliver ESN as swiftly and safely as possible.

Separately, I understand that a briefing has taken place with ESMCP officials and committee staff earlier this year to discuss Airwave and the transition to ESN in the light of the Competition and Markets Authority's interim report published in October.

Annex A: Overnight population at Manston from 15 August to 23 November 2022

Date	Overnight Population
15/08/2022	283
16/08/2022	166
17/08/2022	645
18/08/2022	435
19/08/2022	0
20/08/2022	0
21/08/2022	0
22/08/2022	1139
23/08/2022	967
24/08/2022	1122
25/08/2022	1429
26/08/2022	1053
27/08/2022	1048
28/08/2022	855
29/08/2022	888
30/08/2022	502
31/08/2022	211

Date	Overnight population
01/09/2022	44
02/09/2022	106
03/09/2022	427
04/09/2022	833
05/09/2022	560
06/09/2022	1062
07/09/2022	1182
08/09/2022	1056
09/09/2022	564
10/09/2022	282
11/09/2022	49
12/09/2022	680
13/09/2022	909
14/09/2022	906
15/09/2022	926
16/09/2022	858
17/09/2022	587
18/09/2022	377
19/09/2022	196
20/09/2022	232
21/09/2022	621
22/09/2022	883
23/09/2022	1243
24/09/2022	1457
25/09/2022	1495
26/09/2022	1302
27/09/2022	1140
28/09/2022	1039
29/09/2022	1265
30/09/2022	1372

Date	Overnight population
01/10/2022	1200
02/10/2022	1051
03/10/2022	1221
04/10/2022	1299
05/10/2022	1093
06/10/2022	891
07/10/2022	747
08/10/2022	640
09/10/2022	636
10/10/2022	1450
11/10/2022	1709
12/10/2022	2303
13/10/2022	2618
14/10/2022	2624
15/10/2022	2965
16/10/2022	2829
17/10/2022	2766
18/10/2022	2977
19/10/2022	3038
20/10/2022	2839
21/10/2022	2690
22/10/2022	2549
23/10/2022	2788
24/10/2022	2881
25/10/2022	2828
26/10/2022	2650
27/10/2022	2625
28/10/2022	2701
29/10/2022	3026
30/10/2022	3965
31/10/2022	3680

Date	Overnight population
01/11/2022	3282
02/11/2022	2756
03/11/2022	2287
04/11/2022	1858
05/11/2022	1801
06/11/2022	1601
07/11/2022	1314
08/11/2022	1147
09/11/2022	921
10/11/2022	723
11/11/2022	203
12/11/2022	450
13/11/2022	1076
14/11/2022	1465
15/11/2022	1390
16/11/2022	1193
17/11/2022	916
18/11/2022	670
19/11/2022	436
20/11/2022	320
21/11/2022	94
22/11/2022	0
23/11/2022	0

Annex B:

Defending Democracy Taskforce

Terms of Reference

Objective

To coordinate and drive progress on the Government's work to protect UK democratic processes, institutions and society.

Scope

The Taskforce will improve coordination and drive progress in the following areas:

1. **Democratic processes**, including the security of elections, referendums and other electoral procedures (building on the existing Defending Democracy programme).
2. **Democratic institutions**, including the protective security of Ministers, central and local government (to include physical, personnel and cyber), government support to the democratic estates (including the devolved parliaments), and combatting foreign interference in public office or political parties.
3. **Democratic society**, including combatting foreign interference in the UK media, universities and civil society (including think tanks) and countering transnational repression in the UK.

It will report to the Prime Minister via the National Security Council. It will be a decision making forum, but the NSC will be used to secure collective agreement, where required.

It will use the forthcoming refresh of the Integrated Review to set out the UK Government's increased ambition in this area and the work plan and approach that will be used to deliver on this.

Meetings of the Taskforce will be complemented by wider formal engagement with partners outside central government and Parliament, including in the devolved administrations, local government and private and third sectors. This will include an engagement forum of elected representatives, including counterparts from opposition parties and the devolved administrations, chaired by the Minister for Security.

The Taskforce will be supported by a small joint unit of Home Office and Cabinet Office officials who will work closely with the teams of Taskforce members.

Membership

The Taskforce will meet monthly and will be comprised of the following members:

Ministers

- Home Office: The Rt Hon Tom Tugendhat MBE MP, Minister for Security [Chair]
- DLUHC: Lee Rowley MP, Parliamentary Under Secretary of State (Local Government and Building Safety)
- DCMS: Paul Scully MP, Parliamentary Under-Secretary of State for Tech and the Digital Economy
- Cabinet Office: Baroness Neville-Rolfe DBE CMG, Minister of State at the Cabinet Office

- DfE: The Rt Hon Robert Halfon MP, Minister for Skills, Apprenticeships and Higher Education
- BEIS: Nusrat Ghani MP, Minister for Industry and Investment Security
- FCDO: Leo Docherty MP, Parliamentary Under Secretary of State at the Foreign, Commonwealth & Development Office

Officials

- National Security Secretariat, Cabinet Office: Matt Collins, Deputy National Security Adviser
- Homeland Security Group, Home Office: Chloe Squires, Director General, Homeland Security
- DLUHC: James Quinault, Director
- DCMS: Susannah Storey, Director General for Digital and Media Policy
- MOD: Nina Cope, Chief Operating Officer, Ministry of Defence
- NCSC: Lindy Cameron CB OBE, CEO, National Cyber Security Centre
- MI5: Deputy Director General, MI5
- NCA: Graeme Biggar CBE, Director General, National Crime Agency
- CT Policing: Matt Jukes, Assistant Commissioner (Specialist Operations), Metropolitan Police Service
- Government Security Group: Vincent Devine, Government Chief Security Officer
- JIO: Simon Gass
- JSTAT: Head of Joint State Threats Assessment Team

UK Parliament

- Parliamentary Security: Alison Giles, Director of Security

Yours sincerely,



Rt Hon Suella Braverman KC MP