



Home Affairs Committee

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From the Committee Chair

Home Office
2 Marsham Street
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28 March 2023

Dear Suella,

I write following a one-off hearing of the Home Affairs Select Committee, held on 8 March 2023, to examine the Home Office's decision to no longer pursue three of Wendy Williams recommendations from the Windrush Lessons Learned Review.

The Windrush scandal was, and continues to be, a failing of the Home Office. I am not alone in my disappointment that the Home Office has decided to no longer pursue these recommendations. This sentiment was echoed by Wendy Williams herself, the Independent Chief Inspector of Borders and Immigration (ICIBI), Jacqueline McKenzie, and Caitlin Boswell from the Joint Council for the Welfare of Immigrants.

I was disappointed further when the Minister, Lord Murray of Blidworth, was unable to provide the Committee with a proper explanation for why the Home Office has diverged on recommendations accepted and supported by the previous Home Secretary.

I would expect all Home Office Ministers when attending the select committee to be courteous and willing to clearly explain government thinking and decisions. This was sadly not the case on this occasion.

I am therefore writing this letter in the hope that you may be able to provide answers to some of the questions Lord Murray was unable to. We would be grateful for a response to our unanswered questions and concerns by Tuesday 11 April.

External scrutiny

The Committee were particularly concerned about the lack of explanation for no longer pursuing the recommendations related to improving external scrutiny: introducing a Migrants' Commissioner (recommendation 9) and a role and remit review of the ICIBI (recommendation 10). In your letter dated 26 January 2023, you state that there are a number of ways that you are inviting scrutiny 'in a more efficient way', providing two examples of a new Independent Examiner of Complaints (IEC) and an independent adviser. However, Lord Murray was unable to offer us any further clarification on what scrutiny you have invited beyond those.

There has also been no specific justification for not pursuing the introduction of a Migrants' Commissioner, a role described by your predecessor as valuable in giving migrants a voice. The Committee was not satisfied with the explanation that an IEC

would have the same intent and responsibilities of a Migrants' Commissioner. The remits for these roles are distinctive, and the IEC does not have the same reach to proactively engage with migrant communities.

1. Can you provide us with a more detailed description of how you are inviting external scrutiny into your department?
2. What is the justification for not taking forward the Migrants' Commissioner role?
3. How will the Home Office provide advocacy and a voice for migrants if not via a Migrants' Commissioner?

The role of the ICIBI

The Committee was told how the decision to not review the role and remit of the ICIBI will be a missed opportunity to improve the inspectorate role, particularly at a time where the responsibilities of the Home Office are increasing rapidly, with more opportunity for gaps in oversight.

Whilst there has been an increase in the depth and complexity of issues within borders and immigration, the ICIBI has only increased staffing levels by 6% (two people) within 18-months. Comparatively, Home Office staffing has increased by over 50%. The Chief Inspector told us how the review would have allowed an assessment of ICIBI resource and staffing, to assess whether there are adequate resources to likewise increase their department.

Furthermore, the Chief Inspector has not yet been able to meet with you or Ministers to discuss what options would be available to make improvements to the ICIBI in light of the decision to not complete the review. Alongside the fact that the Chief Inspector has only once met with yourself during his appointment, whilst not at all with the previous Home Secretary, it is disheartening to learn how little engagement there is with an existing external body of scrutiny.

A persistent issue appears to be whether the Home Office is able to fulfil the commitment that ICIBI inspection reports are laid in Parliament within eight weeks of their submission to the Home Secretary. Since the Chief Inspector took up post, the Home Office has published 24 ICIBI inspection reports, where only one was published within this eight-week timeframe. Furthermore, the ICIBI's Annual Report was sent to the Home Secretary for publication in July 2022 and was published in March 2023. This is unacceptable.

We also heard how some recommendations made by the ICIBI are not delivered, and since 2019, there has been no system in place to track the progress of recommendations. In your letter dated 26 January, you informed us that a digital tool to track recommendations had been implemented, whereas the Chief Inspector informed us that they had not seen any output of this tool yet.

4. As there will be no role and remit review, can you update us on your plans to review resourcing for the ICIBI, including when an internal review would be completed by?
5. Due to the ongoing delays in publishing ICIBI inspection reports, shouldn't the Home Office permit the ICIBI to publish their own inspection reports?
6. Can you update us on the implementation of the digital recommendation tracker tool for all relevant bodies, including when you expect it to be fully functional?
 - a. Will this tool be publicly available?

Compensation scheme

We revisited concerns held by both the Committee and stakeholders in the delays for people applying to the Windrush Compensation Scheme. We heard about a continued delay in recruiting an adequate level of caseworkers. During our visit to the Sheffield offices in June 2022, there were 117 caseworkers, and we were told this number would increase to 154. Lord Murray informed us that this number was only now at 124 caseworkers.

It has also come to our attention that there continues to be a lack of engagement with non-Caribbean Commonwealth communities for whom the Windrush Compensation Scheme applies, such as Nigerian or Ghanaian communities.

7. What are you doing to recruit and retain caseworkers so you may reach the desired number?
8. Does the Home Office have plans to examine whether the promotion of the Windrush scheme to non-Caribbean communities has been adequate? If not, why?

Community Engagement Fund

Since the hearing took place, the Home Office has withdrawn the Windrush Community Engagement Fund, including cancelling approved funding applications for the current year. This withdrawal is particularly surprising as in your letter dated 26 January, you cite this funding scheme as a reason why you no longer need to proceed with Recommendation 3 (running reconciliation events) from the Windrush Lessons Learned Review. You also wrote how the funding scheme supported engagement with wider Commonwealth nations. It is concerning to hear how yet another proposal which offers to support Windrush communities has been withdrawn.

Furthermore, although the funding applications were reportedly cancelled due to internal delays caused by issues with the assessment criteria, it has also been reported that it is in part due to groups who had been approved for funding expressing criticism of the Home Office online. It is particularly shocking that such a narrative is circulating whilst the Home Office is discontinuing work related to improving external scrutiny.

9. Why has the Department withdrawn the Community Engagement Fund?
10. How was the withdrawal communicated to groups who had been approved funding under the scheme?
 - a. Have you offered any compensation for their withdrawn application?
11. Can you guarantee that the scheme will be relaunched in the new financial year, and if so, what will the timeline the re-launch be?
12. If the delay and eventual withdrawal is due to issues with the assessment criteria, what is the timeline for amending these?
 - a. Will an amendment to criteria guarantee there will not be delays in the next round?

Wendy Williams commended the Home Office on the progress it had made in implementing the recommendations from her review, saying it had done most of the 'heavy lifting'. Yet she highlighted the importance of the two recommendations related to external scrutiny in ensuring that the hard work done to date does not fall away.

Unfortunately, the Minister's contribution compounded the impression that the Home Office struggles to engage effectively and meaningfully with external scrutiny. I am deeply concerned that for many people wanting to hear answers from the Home Office they may be left with a decreased confidence in its ability to implement the rest of the recommendations from the Windrush Lessons Learned Review. If the Home Office is insistent on no longer taking forward these recommendations, we urge them to consider whether they are truly effectively engaging with external bodies of scrutiny.

Yours sincerely

A handwritten signature in dark ink, reading "Diana Johnson". The signature is written in a cursive, flowing style. The first name "Diana" is written in a larger, more prominent script, and the last name "Johnson" follows in a similar but slightly smaller script. The ink is dark and the background is white.

Dame Diana Johnson MP