



Home Office

Permanent Secretary  
Home Office

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Rt Hon Dame Diana Johnson MP  
Chair, Home Affairs Select Committee  
House of Commons  
London  
SW1P 4DF

12<sup>th</sup> December 2023

Dear Dame Diana,

Thank you for your letter of 7 December and for the 'Work of the Home Office' session with Simon Ridley and I on 29 November.

The Committee will appreciate that the Home Office publishes a very large amount of data relating to immigration with a view to being as transparent as possible. The quarterly statistics and other transparency data that we release are largely based on requests made by your committee, and predecessor committees, and we remain open to publishing further information where it assists in your scrutiny of the Department.

Please find answers to your questions below:

### **Rwanda and illegal migration**

- 1. Please provide the Committee a summary of how much the Home Office has paid in legal costs since the Rwanda policy first appeared in the courts, up to the Supreme Court judgement? (Q15)**

As of 30 November 2023, the total amount spent on legal challenges against the Migration and Economic Development Partnership with Rwanda was £2,137,045.

- 2. Could you provide a breakdown for how many people have been refused asylum and sent back to their country, or a third country, for the last three years? (QQ148-153)**

**Please also provide a breakdown for the last three years excluding those seeking asylum from Albania and foreign offenders.**

As part of the quarterly migration statistics, the Department publishes data on returns, broken down by the number of Foreign National Offenders (FNO) and by nationality. There have been 51,813 total returns since the beginning of 2020 and we prioritise high-harm offenders. However, we do not routinely publish data by reason for return (e.g. refused in-country visa application, refused asylum claim, overstayer) or, where an asylum claim, by method of arrival (e.g. arrived legally, arrived by small boat, other clandestine arrival).

Although we had prepared a large amount of information about small boats arrivals, asylum claims and returns for the 29 November session, we did not have this very specific information to hand at the time. Since the session we have undertaken further analysis to determine the answer.

Since 2020 there have been 408 returns of non-Albanian, non-FNO small boats arrivals:

<b>Year</b>	<b>Overall returns of small boats arrivals of which:</b>	<b>Albanian returns</b>	<b>Non-Albanian returns</b>	<b>FNOs of which:</b>	<b>Albanian FNOs</b>	<b>Non-Albanian FNOs</b>	<b>Non-Albanian, non FNO returns</b>
<b>2020</b>	<b>144</b>	0	144	3	0	3	<b>141</b>
<b>2021</b>	<b>28</b>	3	25	2	1	1	<b>24</b>
<b>2022</b>	<b>382</b>	228	154	20	16	4	<b>150</b>
<b>2023 (Jan - Jun)</b>	<b>628</b>	531	97	117	113	4	<b>93</b>
<b>Total since 2020</b>	<b>1,182</b>	762	420	142	130	12	<b>408</b>

### **Asylum accommodation**

#### **3. Please provide a breakdown of how many spaces on the detention estate have been ring-fenced over the last 12 months for the Rwanda policy? (Q39)**

Over the last 12 months we have not ring-fenced any immigration removal centre (IRC) beds for the Rwanda policy.

During the week of the Supreme Court judgment, we held 350 bed spaces for the detention of individuals to be relocated to Rwanda on the initial flights. Following the judgment, we have returned to using these beds for time-served foreign national offenders and immigration offenders while we prepare to remove them from the UK. It is pertinent to note that there is rapid throughput through our IRC system, with most people staying there for a short period of time before their removal. The Rwanda partnership is uncapped.

#### **4. How much have you spent on the Bibby Stockholm barge to date, and what is the cost-per-person for housing someone on the barge per day? (Q195)**

The contract for Bridging Accommodation and Travel Services was awarded to CTM in February and details set out on gov.uk. This contract was varied in April 2023 to incorporate Vessel Accommodation Services on the Bibby Stockholm Barge at Portland Port. The value of the Vessel Accommodation Services portion is £22,450,772. The value for money assessment is currently being updated to give the latest per person per night cost and we will provide details in the New Year once this is complete.

## 5. When do you plan to complete forecast projections for the use of hotels for next year? (Q143)

We have now begun to reduce our reliance on hotel accommodation and have plans in place to close over 50 hotels before the end of January 2024. The Department has a range of assumptions that we use for operational planning. Modelling asylum and accommodation demand is complex and inherently uncertain and the Home Office continues to keep our planning assumptions and estimates under regular review to ensure we are prepared for a range of scenarios.

As the Second Permanent Secretary set out at the session, our plans for hotel use need to take account of a range of factors including the wider changes we are making to the asylum system and other forms of accommodation. We will update you on our assumptions once we have completed our scenario review in the New Year.

### Legacy asylum backlog

6. Please provide a breakdown of the outcomes for the legacy backlog of asylum cases, including how many of these have been withdrawn, over the last two years? For those that have been withdrawn, can you confirm how many of those have had further contact with the Home Office? (QQ129-138)

7. Please provide a detailed account of the process that follows once an asylum case is withdrawn, including what details the person is asked to submit, if any, and how the Home Office follow up these cases, including timescales (QQ217-220).

### Outcome of asylum decisions

As I said, we are on target to meet the Prime Minister's commitment to clear the legacy asylum backlog by the end of the year. Our published provisional data shows that, as of 30 November, 18,366 cases remain for decision.

Our published data on decision outcomes does not differentiate between legacy and other cases. The breakdown of initial decisions (main applicants) is as follows:

Decision	2021 Q4	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2023 Q1	2023 Q2	2023 Q3
Grant of Protection	2,619	2,964	2,897	3,973	4,334	3,252	4,992	18,432
Grant of Other Leave	37	35	42	49	76	73	114	170
Refused	872	887	902	1,167	1,485	1,560	2,627	4,743
Withdrawn	657	1,149	1,121	1,333	1,652	5,865	5,531	4,268

### Number of withdrawn claims

The withdrawal of asylum claims is not a new process and is contained within the Immigration Rules at 333C. It is a longstanding policy principle for claims to be withdrawn

when asylum seekers do not stay in contact with the Home Office and fail to comply with the asylum process. Withdrawals can either be explicit or implicit.

Explicit withdrawals (recorded as 'other withdrawals') are when the claimant has confirmed that they wish to withdraw their claim either because they wish to leave the UK, have left the UK, or have been granted leave to remain through a different route.

Implicit withdrawals (recorded as non-substantiated withdrawals) are when the claimant has failed to comply with the requirements of the process (for example an interview, reporting event or questionnaire) or has lost contact with the Department. The age and nature of the legacy backlog means that there are a proportion of claimants whose circumstances have changed during the course of the process. The average age of the claim within the 17,316 was 540 days at the point of withdrawal.

In the two years to 30 September 2023, 21,576 asylum claims have been withdrawn (main applicants only), with 14,826 asylum claims listed as 'other withdrawals'.

The growth in withdrawal outcomes this year is part of the overall growth in all types of asylum outcomes as the Department has successfully tackled the legacy backlog, including increasing the numbers of Decision Makers and tripling productivity. For the year end September 2023 there was an 186% increase in the overall number of all decisions compared with year ending September 2022.

The type of cases we have been considering is also a factor in the growth in the number of withdrawals. Of the 17,316 withdrawals in the last 12 months, 9,266 (54%) were Albanian, who have tended to be less compliant with our systems.

The notes to our published statistics state that we believe a proportion of withdrawals have been miscategorised as 'other withdrawals'. This means that the number of 'explicit' withdrawals is not as high as the statistics currently suggest. The total number of withdrawals is correct - only the breakdown of withdrawal type is affected. We will be reviewing this data as part of our next publication and will revise the statistics accordingly.

### Process following withdrawal

#### *Prioritisation*

If an individual's claim is withdrawn, they would be unable to work, access services, or seek any support as part of the compliant environment measures.

All withdrawn asylum cases flow into Immigration Enforcement's 'population of interest' and individuals are recommended for specific interventions based on a series of conditions that identify and prioritise those who meet the conditions for that intervention. The criteria include:

- harm (which includes criminality but also broader harm to the UK);
- vulnerability;
- removability (relating to the country of origin, documentation challenges, etc and to ongoing appeals or other litigation); and

- whereabouts (so a person with recent contact with the Home Office would be given higher priority than others).

Compared with Foreign National Offenders and other immigration offenders, most withdrawn asylum cases would have scored relatively low against these criteria.

#### *Decision to detain*

Where the recommendation is that an individual should be prioritised for enforcement action and tasked for detention on reporting, they will be prioritised by Reporting Centres and the individual will be detained at the next reporting event. The individual does not know before the reporting event that they will be detained.

#### *Failure to attend reporting – individual due to be detained*

If the individual fails to attend on the date planned, the case will be considered for referral to an enforcement team to conduct a visit to their address.

#### *Failure to attend reporting – other*

Where an individual does not have a reporting condition or has failed to comply with that reporting condition, Immigration Enforcement's case progression teams will task the case to an enforcement team to conduct an enforcement visit. The case will be accepted if the individual remains barrier free and has a current address. The case will flow into the accepted pool of cases and will be scheduled for a visit after intelligence and officer safety checks are completed and in line with other priorities (such as illegal working commitments) and frontline capacity more generally.

#### Data

We are undertaking data matching and in due course we will send a further detailed breakdown of the 17,316 and any subsequent action that may have been taken.

#### **8. Please set out the service level agreements for visa, passport and other applications, and how many applications have met that level within the last year. (Q172)**

The Home Office publishes details of our service standards for visa applications at <https://www.gov.uk/government/collections/customer-service-standards>.

As the former Home Secretary set out to you in her letter of 26 September, from Quarter 4 of 2023 His Majesty's Passport Office has put in place a performance indicator to process 98.5% of standard UK passport applications, where no further information is required, within 3 weeks. Across 2023, where no further information has been needed, HM Passport Office has processed over 99% of standard UK passport applications within three weeks.

UK Visas and Immigration have been operating well within our service standards on the overwhelming majority of visa routes this year.

#### **Emergency Services Network (ESN)**

**9. When do you plan to complete the re-procurement stage for the supplier of the Emergency Services Network (ESN)? (Q156)**

ESMCP is currently procuring a new supplier for both mobile radio and data services. The contract award for User Services (Lot 2) is anticipated in 2024 whilst the other major contract, with BT/EE for Mobile Services (Lot 3), is due to expire at the end of 2024. Detailed negotiations for both contracts are under way.

**10. What is the new planned date for ESN to go live? (Q163)**

A revised Business Case in 2021 set out the expectation that ESN mass transition would start in 2024, with Airwave shut down in 2026. This is no longer possible due to Motorola's withdrawal from the Programme. The Programme is currently undertaking a refresh of the Programme Business Case (PBC) which is expected to be completed in 2024. The PBC expected next year is intended to reflect the impact of the outcome of the Competition and Markets Authority's investigation on Airwave costs as well as the Lot 2 User Services and Lot 3 Mobile Services re-procurements and the delivery timelines for the ESN.

Much of ESN's functionality has been demonstrated and the core network built. The build of the Programme is over 60% complete. The Programme's priority is to achieve the right balance between credible plans that have user confidence and the need to deliver ESN as quickly as possible to enable the shutdown of Airwave. Airwave will only be turned off when it is safe to do so and users are satisfied with the operational safety of ESN.

**Spiking**

**11. When do you expect to meet your statutory obligation and publish this report? And why has there been this delay in publishing? (Q264)**

The Government is committed to producing and publishing a report on the prevalence and nature of spiking and the action to tackle it. We are sorry for the delay in publishing the report, but we aim to do so shortly. Ministers will write to you as soon as they are able to confirm a specific date.

**Home Office expenditure**

**12. Who in the Treasury requested this omission, when was the request made, and was this request approved by their Ministers?**

In previous years, HM Treasury has considered additional Reserve funding for asylum costs at Supplementary Estimates. This is since a significant share of asylum costs is driven by extremely volatile forecasts which are refined as the year goes on. The level of expenditure on asylum support was not anticipated at SR21. In addition, funding for new policy proposals that have emerged since SR21 is handled through the Supplementary Estimates. All this was proposed by the then Chief Secretary to the Treasury and agreed by the then Home Secretary at the last Spending Review.

**13. Was there any discussion with Home Office Ministers regarding this request, and if so, with whom and when?**

Yes, the then Home Secretary agreed on 13 January 2022 to allocate budgets based on our existing SR21 settlement while we continued to negotiate with HMT on the Third Country Asylum Partnerships and measures arising from the Illegal Migration Taskforce. Since then, we have kept Ministers regularly updated in our submissions on budget planning.

**14. Did you, as Accounting Officer, raise any concerns that by omitting budget detail on a key policy area, you would not be fulfilling your duty to ensure the Estimates reflected the Department's "best forecast of requirements", as required by the Treasury's own guidelines?**

As stated above, this agreement was one that HMT proposed. I was involved in numerous discussions with HMT officials, as well as my own colleagues and Home Office ministers, to ensure that the outcome of the Spending Review allowed us to fund the costs arising from our statutory obligation to provide support to asylum seekers, without having to deal with any higher than expected costs by absorbing them from within our budget and therefore having to cut public services.

**Corrections**

I would also like to take the opportunity to correct the record. A Committee member asked about my engagement with David Neal, Independent Chief Inspector of Borders and Immigration, and asserted that I had declined requests to meet him. This was incorrect. I met Mr Neal when he began his work in April 2021. I remain interested in the important and independent work of the Inspectorate, but the Second Permanent Secretary is his senior sponsor and meets him regularly, in fact monthly. For completeness, I also met Mr Neal's predecessor in January 2021.

When questioned about our asylum accommodation contracts, the Second Permanent Secretary referred to the Home Office only being able to reclaim money from our commercial providers for a breach of contract. I would like to confirm that there is a profit share device in the asylum accommodation contracts that ensures that "profit over and above the agreed percentage comes back to the Home Office." This ensures that suppliers will only earn the agreed profit margin.

Yours sincerely,



**SIR MATTHEW RYCROFT KCMG CBE**

**PERMANENT SECRETARY**