

Home Affairs Committee

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From the Committee Chair

24 May 2018

Rt Hon Sajid Javid MP
Home Secretary
Home Office
2 Marsham Street
London SW1P 4DF

Dear Home Secretary

Thank you again for giving oral evidence to the Committee on 15th May. This letter has some follow-up questions from your session, including on matters you were continuing to look into.

Before listing the follow-up questions for you, I do have some initial questions regarding the 'Windrush Scheme guidance' published by your department on 24th May 2018.

Windrush Scheme guidance:

1. Could you explain your decision not to allow a right of appeal or an administrative review if a person is told they will not be issued with a document under the Windrush scheme?
2. Does this statement mean you would not allow for a human rights-based appeal?
3. From p. 29 of the document till the end at p. 41, it reads that 'information on this page has been removed as it is restricted for internal Home Office use'. Why has the Home Office chosen to remove that information?
4. Can the guidance – with the restricted information – be shared with the Home Affairs Select Committee?

Questions following oral evidence hearing:

Treatment of Windrush citizens

5. Could you provide an update on Home Office action with regard to the 63 cases of people you said may have been wrongfully removed – what plan does the Home Office have to contact people?
6. Given the Windrush guidance states that all Windrush cases should have been protected from deportation, are you now planning to contact all those wrongfully removed?
7. What support is being made available to people outside of the UK who wish to contact the taskforce and who may wish to return to the UK?
8. When will the Home Office be able to tell the Committee how many people from the Windrush generation may have been wrongfully detained?

9. Are any people from the Windrush generation currently subject to reporting requirements? And how many Windrush citizens were subject to reporting requirements as of 1st January 2018?

10. Could the Home Office provide a breakdown of categories of people who have been searched for in Home Office removal records? The Immigration Minister told the Committee that the Home Office was basing its searches on two criteria: "anybody over the age of 45, because obviously they are the people who would have been born prior to 1973, and indeed nationality" and also that "It is perfectly reasonable that where we can demonstrate somebody has arrived post-1973 or perhaps in cases of serious criminality, we should not be contacting them." Concern has been raised with the Committee that there may be individuals, such as children of the Windrush generation, who may be younger than 45, or spouses that arrived after 1973, who might still be protected by the 1971 Act, but who may have been subject to wrongful removal.

11. In checking cases of removal back to 2002, could the Home Office also confirm that it is looking at younger people as it goes back? For example, someone who arrived as a baby in 1972 would have been 30 in 2002.

12. Have any Windrush citizens been subject to 'freezing orders'?

13. Were any Windrush citizens on the Credit Industry Fraud Avoidance System (CIFAS) database as of 1st March 2018?

14. How many people have contacted the Home Office Windrush helpline regarding the loss of employment?

15. How many people from the Windrush generation have been denied re-entry to the UK?

16. Can you clarify the Windrush guidance on what approach the taskforce is taking to people with spent criminal convictions, and what the relationship is between the taskforce and criminal enforcement?

Wider culture and targets

17. When will the Home Office "lessons learned" review begin? What is its remit? Who is running it? What is the level of independence of the review?

18. The Committee is grateful for receiving information about targets for immigration enforcement between 2015-16 and 2018-19. Were the targets for returns and for forced returns agreed by Ministers, reported to Ministers, or just set by officials? The Committee would also be grateful for information relating to previous years before 2015-16.

19. With regard to Annexes A & C in the letter from the Permanent Secretary, how were the goals (or targets) on returns and enforced returns apportioned amongst individual teams? How were local members of staff expected to "see how their own work contributed to that"? Does that mean that local members of staff or managers of individual teams were assessed against their contribution to any quantified goals (or targets) on returns or enforced returns? Were any of the bonuses for the staff or managers of those teams linked to achievement of those goals?

Immigration casework

20. In total, how many people have been wrongfully detained in the past 5 years? We understand that figures may be based on cases involving compensation payments.

21. Please provide the details of fees for children (for those born inside and outside of the UK) who wish to make their life in the UK. This should include the fees charged for each stage up to and including gaining citizenship and the cost to the Home Office of processing those applications.

22. How many new staff are being recruited to UKVI and, of these, how many have already joined?

23. How many people in the UK under Tier 1 are challenging Home Office decisions based on section 322 of the immigration rules? How many have been removed in the last two years under this section? How many of them are being removed for HMRC issues? And how many of those are for HMRC issues where the HMRC has decided against any fine or enforcement action?

We look forward to hearing from you in relation to these matters, and in future appearances before the Committee.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Yvette Cooper', written in a cursive style.

Yvette Cooper MP