



Home Office

**THE HOME OFFICE RESPONSE TO THE
INDEPENDENT CHIEF INSPECTOR'S
REPORT:**

**AN INVESTIGATION INTO THE
PROGRESS MADE ON LEGACY ASYLUM
AND MIGRATION CASES.**

Following the publication of the Independent Chief Inspector's (ICI) report regarding the handling of asylum and migration legacy cases in November 2012, the Home Secretary commissioned the ICI to further investigate progress with these cases.

In November 2012 the controlled archive was closed. In closing the controlled archive the Home Office has addressed many of the past failings relating to the handling of legacy cases.

All cases previously in the controlled archive were subjected to two sets of checks conducted at least three months apart against databases held by the Department of Work and Pensions, HM Revenue and Customs and a credit reference agency with a view to identifying people still in the UK. In addition, to identify potential high harm cases a Police National Computer and watchlist check were undertaken.

If an individual's footprint was not established through this robust electronic bulk data matching programme, it was considered reasonable to close the case. An electronic data matching programme was the most efficient use of resource and represented better value for money for the taxpayer than sifting through the paper files of up to 124,000 individual cases.

As a result of the electronic bulk data matching programme, the Home Office obtained updated contact details for approximately 25,500 cases which were moved to the cohort of live legacy cases and will now be dealt with by the Older Live Cases Unit. A further 80,300 cases were closed after the electronic bulk data matching programme failed to establish a footprint for an individual.

Since the controlled archives were closed in November 2012, the Home Office has applied a process whereby if an individual whose case has been closed does come to light, their case will be reopened and dealt with in line with the remaining legacy cases. Since November, approximately 0.7% of closed cases have been re-opened.

The Home Office is pleased that the Chief Inspector's report comments positively on the progress made by the Older Live Cases Unit and makes positive findings with respect to the governance and management of the remaining legacy cohort. The Home Office is focused on reviewing each remaining legacy case in detail, to ensure the right decision is reached in accordance with the Immigration Rules and appropriate follow-up action taken.

This report from the Chief Inspector reinforces the decision taken by the Home Secretary to abolish the UK Border Agency and split the functions into two separate entities reporting directly to Ministers. Through the changes we have made to the organisation and by acting on the recommendations made by the Chief Inspector where it is appropriate to do so, we are now in a much stronger position to create an immigration service that delivers for the public and its customers.

Recommendation 1 – That the Home Office publishes a realistic and achievable timescale for the completion of all legacy asylum and migration cases.

Rejected

1.1 Completing the review of the remaining legacy cases as quickly as possible, whilst ensuring the work is done properly remains the core objective of the Older Live Cases Unit.

1.2 The remaining legacy cases are, by their very nature, old and complex. There will be cases among them which the Home Office will not be able to conclude within a set timescale due to circumstances outside of our control, such as individuals serving prison sentences or if they are from countries to where we are currently unable to enforce a return.

1.3 We will continue to report progress on a regular basis to the Home Affairs Select Committee.

Recommendation 2 - The Home Office should prioritise the implementation and conclusion of all outstanding recommendations from the Chief Inspector's previous report.

Accepted

2.1 The Home Office has taken significant steps in a relatively short period of time to implement the recommendations published in the November 2012 Inspection report. The findings of the Chief Inspector's latest report acknowledge the progress made.

2.2 Governance has been put in place to improve the quality and range of management information routinely published. Steps are being taken to implement a quality assurance framework to support effective decision making.

2.3 The Older Live Cases Unit is working towards Customer Service Excellence Accreditation by 31 March 2014. It is envisaged the accreditation process will support service improvements and promote a culture of continuous improvement.

Recommendation 3 – The Home Office should undertake its own sample of closed legacy asylum and migration cases to determine whether the information contained in the paper files can help trace a greater number of applicants.

Accepted and Implemented

3.1 Since the investigation we have undertaken additional assurance exercises to validate the decision we made to review the controlled archive through electronic bulk data matching rather than through sifting Home Office paper files. Following a similar approach as the Inspection Team we sampled a representative number of 109 closed cases from which we traced one additional individual.

3.2 The findings of the assurance exercise validate that an electronic bulk data matching exercise was the most efficient use of resource and represented better value for money for the taxpayer than sifting through the paper files of up to 124,000 individual cases (when there was also no trace of the main applicant through the electronic checking of the Department of Work and Pensions, Her Majesty's Revenue and Customs (HMRC) and Equifax databases).

Recommendation 4 – The Home office should take action to:

- **Review all 3,077 Police National Computer (PNC) positive matches to determine whether these records contain contact information that can be used to locate and trace applicants; and**
- **Refine the bulk data matching methodology and follow up all PNC ‘maybe’ matches to determine whether applicants can be traced.**

Partially accepted - implementing

4.1 As part of the agreed closure criteria all cases held in the controlled archive underwent a PNC check within three months of the date the case was closed. The PNC check was undertaken for the purpose of identifying possible high harm cases alongside a suite of checks that made up the electronic bulk data matching programme.

4.2 We will review all the positive PNC matches in June to see whether the PNC holds any new address information - not revealed by the suite of checks - that can be used to trace these individuals.

4.3 We do not consider that it is an effective use of resource at this stage to go back through PNC ‘maybe’ matches following their inclusion in a robust data matching programme. A ‘maybe’ hit is where some of the details may match but others do not. Each ‘maybe’ hit requires further investigation to establish whether it relates to the person being traced. Of a sample of 200 persons with a recorded PNC ‘maybe’ hit; 10% were confirmed as the person being traced, but only 1% of the 200 sample had an alternative address on the PNC to that which had already been identified via the alternative checks and so could potentially be used to trace the applicant.

4.4 All PNC ‘maybe’ hits have undergone checks against databases held by the Department of Work and Pensions, HM Revenue and Customs and a credit reference agency. These are considered better tracing tools and so where these did not yield any positive results suggesting an address in the UK the PNC ‘maybe’ hits were closed. Our commitment and resource is focused on completing the review of the remaining legacy cases as quickly as possible.