

Witness Name: David Bolt

Statement No.:

Exhibits: DB/01 - DB/53

Dated: 25 June 2025

UK COVID-19 INQUIRY

WITNESS STATEMENT OF DAVID BOLT

Section 1: Introduction

I, David Bolt, Independent Chief Inspector of Borders and Immigration ("ICIBI"), 3rd Floor, 28 Kirby Street, Farringdon, London EC1N 8TE, will say as follows: -

- 1.1 I am the Independent Chief Inspector of Borders and Immigration. I have held this post since 3 June 2024. I was previously the Independent Chief Inspector from 1 May 2015 to 21 March 2021.
- 1.2 From 22 March 2021 to 19 February 2024, the Independent Chief Inspector of Borders and Immigration was David Neal. My evidence relating to that period reflects my understanding of those events, based on ICIBI records and following consultation with ICIBI staff. I have not spoken to David Neal in connection with this statement.

Section 2: Roles and responsibilities of the Independent Chief Inspector of Borders and Immigration ('ICIBI')

- 2.1 Sections 48-56A of the UK Borders Act 2007, as amended [Exhibit DB/01 - INQ000642044], provide that the Independent Chief Inspector of Borders and Immigration shall monitor and report on the efficiency and effectiveness of the immigration, asylum, nationality, and customs functions exercised by the Home Secretary and by others on her behalf. The legislation states that, "in particular, the Chief Inspector shall consider and make recommendations about --

"(a) consistency of approach [amongst those subject to inspection by the ICIBI]

- "(b) the practice and performance of [those subject to inspection by ICIBI]
compared to other persons doing similar things,
- "(c) practice and procedure in making decisions,
- "(d) the treatment of claimants and applicants,
- "(e) certification under section 94 of the Nationality, Immigration and Asylum Act
2002 (c. 41) (unfounded claim),
- "(f) compliance with law about discrimination in the exercise of functions,
including reliance on paragraph 17 of Schedule 3 to the Equality Act 2010
(exception for immigration functions),
- "(g) practice and procedure in relation to the exercise of enforcement powers
(including powers of arrest, entry, search and seizure),
 - "(ga) practice and procedure in relation to the prevention, detection and
investigation of offences,
 - "(gb) practice and procedure in relation to the conduct of criminal
proceedings,
 - "(gc) whether customs functions have been appropriately exercised by
the Secretary of State and the Director of Border Revenue,
- "(h) the provision of information,
- "(i) the handling of complaints, and
- "(j) the content of information about conditions in countries outside the United
Kingdom which the Secretary of State compiles and makes available, for
purposes connected with immigration and asylum, to immigration officers
and other officials."

- 2.2 The Independent Chief Inspector's statutory remit excludes functions at removal centres and short-term holding facilities, and at detention facilities, responsibility for the inspection of which was retained by His Majesty's Chief Inspector of Prisons and His Majesty's Inspectors of Constabulary, respectively. However, the Independent Chief Inspector may monitor and report on these functions if directed to do so by the Home Secretary.
- 2.3 The Independent Chief Inspector discharges his duties by formulating an annual inspection plan; carrying out inspections; and preparing inspection reports, which are submitted to, and laid in Parliament by, the Home Secretary. In line with section 50 of the UK Borders Act 2007, the Independent Chief Inspector also produces an annual report to the Home Secretary on the performance of immigration, asylum, nationality, and customs functions generally.
- 2.4 The Independent Chief Inspector has no statutory duties relating specifically to children or young people, except insofar as he is charged with monitoring and reporting on immigration, asylum, nationality, and customs functions that may affect children and young people. However, in all of the inspection work that he oversees, the Independent Chief Inspector bears in mind the Secretary of State's duty under section 55 of the Borders, Citizenship and Immigration Act 2009 [Exhibit DB/02 - INQ000541174] to have "regard to the need to safeguard and promote the welfare of children who are in the United Kingdom".
- 2.5 There was no change to ICIBI's statutory duties or areas of responsibility during the Specified Period. In practical terms, ICIBI adapted to the restrictions in place during the COVID-19 pandemic by adopting home working practices over much of the period, making inspection findings on the basis of written evidence and data analysis when pandemic restrictions made onsite visits impractical or impossible, and relying on videoconferencing technology to carry out interviews and focus group sessions that previously would have been conducted in person.
- 2.6 I summarised the impact that the restrictions imposed by the pandemic had on the work of the inspectorate in my annual report for 2020-21 [Exhibit DB/03 - INQ000642046] as follows:

"Because of COVID-19 restrictions, from March 2020 it was not possible to use ICIBI's offices and, like many other businesses, including large parts of the

Home Office's Borders, Immigration and Citizenship System (BICS), the inspectorate had to learn to work remotely. Notwithstanding some technical issues, which reduced over time, videoconferencing quickly became routine – for team meetings, stakeholder engagement, and interactions with the Home Office. "While the enforced non-attendance at the office was a source of frustration for staff, there were undoubtedly some positives from this new way of working. Not having to travel to meetings meant that these were easier to organise and generally better attended, while quick video calls became a friendlier and often more productive alternative to a chain of emails. As restrictions ease, the inspectorate will need to consider the best balance between office-based and remote working, but a return to the status quo ante is unlikely and would be a backward step.

"The same cannot be said of onsite visits, which are an established part of ICIBI's inspection process, enabling inspectors to observe borders and immigration functions in operation and to talk to managers, staff and others in situ. For obvious reasons, there were limited opportunities for onsite visits during 2020-21, although inspectors did manage to visit some ports and airports, places of immigration detention, and asylum accommodation sites, in each case strictly observing the relevant COVID-19 protocols. In my own case, the only visits I was able to make were to Penally Camp and Napier Barracks. Looking forward, inspection teams will want to return to a routine of onsite visits as soon as possible, and the new ICI will also want to arrange a programme of visits as part of his induction.

"The fact that many BICS staff were also working remotely throughout the year impacted the process of obtaining evidence from the Home Office, making it generally slower and more fragmented. Early in 2020-21, the Second Permanent Under Secretary and I agreed to waive the usual deadlines for evidence returns and instead to ask each inspection team to work out an achievable timetable with the relevant business areas. Nonetheless, a number of inspection teams found it hard to make progress because an evidence return was delayed, incomplete or there were issues with the quality of the evidence provided. As a result, and despite my further extension, some inspections I had hoped to complete before my departure were still in progress at the end of March 2021."

- 2.7 Though no meetings between the Independent Chief Inspector and the Home Secretary took place during the Specified Period, this was not a direct result of Covid restrictions, as any meeting could have been held remotely.
- 2.8 The ability of the Independent Chief Inspector to decide what to inspect, and how and when to inspect it, is a key element underpinning his independence. While the content and shape of ICIBI's inspection programme is a matter for the Independent Chief Inspector, he will, when formulating his inspection plans in line with section 51 of the UK Borders Act 2007, take into account issues raised during his engagement with ministers, officials, and stakeholders, as well as input from his staff. This approach complies with the statutory requirement that the Independent Chief Inspector consult with the Home Secretary and others in developing his inspection plans. The Independent Chief Inspector will also consider whether areas examined previously might warrant re-inspection.
- 2.9 During my previous term in office as Independent Chief Inspector, ending in March 2021, I produced a three-year inspection plan, with inspections grouped under one of five themes: (1) protecting the border, (2) providing a service, (3) compliance management and enforcement, (4) working with others, and (5) learning and improving. As I wrote in my annual report for 2020-21 [Exhibit DB/03 - INQ000642046] (to which my final inspection plan is appended as an annex), "[t]he aim of the 3-year plan was to provide a better sense of the overall shape and range of the Inspectorate's work programme, how planned inspections fitted together thematically, and to signpost when particular topics would be examined." I concluded that this approach had "been largely successful in delivering a balanced and broadly-based programme of inspections, and in the process creating a clearer picture of the underlying issues and systemic improvements required."
- 2.10 My successor, David Neal, noted in his annual report for 2021-22 [Exhibit DB/04 - INQ000642047] that he had opted for single-year inspection plans "to allow the maximum flexibility and the targeting of resources on topics and areas of the Home Office's immigration operation that require the most focus". He wrote that his "inspection programmes have been informed by [his] own observations, findings from previous inspections, discussions with ministers, officials and external stakeholders, and my team's views."

- 2.11 The relationship between ICIBI and the Home Office is laid out in a Framework Agreement [Exhibit DB/05 - INQ000642048], which confirms that, as a public appointee acting in accordance with the purpose of the office as specified by the UK Borders Act 2007, the Independent Chief Inspector “is independent of Government and the Home Office”. The Independent Chief Inspector meets regularly with the ministers responsible for the borders and immigration system and with relevant senior Home Office officials to discuss his inspection programme, as well as issues and concerns which either party may identify and wish to raise. Within the Home Office, the Second Permanent Secretary is designated as ICIBI's Senior Sponsor, and ICIBI carries out its activities with support from sponsorship and engagement teams at the Home Office.
- 2.12 These relationships and interactions did not change in any substantial way during, or as a result of, the pandemic, though many meetings that would have taken place in person were held virtually while lockdown restrictions were in place. Following the departure from the Home Office of the Second Permanent Secretary on a secondment, the role of Senior Sponsor was held by the Permanent Secretary from October 2020 to March 2021 and then by the Director General for Migration and Borders from March 2021 to June 2023, when that responsibility shifted back to the Second Permanent Secretary responsible for the migration and borders system.
- 2.13 During the period 1 January 2019 - 31 December 2019, the Independent Chief Inspector met with the Home Secretary twice, on 13 May 2019 (Sajid Javid) and 31 October 2019 (Priti Patel). No meeting between the Independent Chief Inspector the Home Secretary was held during the period 1 January 2020 - 28 June 2022. During the period 29 June 2022 - 29 June 2023, the Independent Chief Inspector met with the Home Secretary (Suella Braverman) on 21 November 2022.
- 2.14 ICIBI inspections seek to assess the performance by the Home Office of the function(s) under review against a set of 'Expectations' formulated by the inspectorate in 2018 [Exhibit DB/06 - INQ000642049]. Inspections follow a three-stage process that is laid out as follows in the inspectorate's annual report for 2020-21 [Exhibit DB/03 - INQ000642046]:

“Stage 1: Planning

- Scoping

- Open-source research
- Preliminary evidence request
- Familiarisation visit(s)
- Formal notification to the Home Office and full evidence request
- Stakeholder engagement – requests for written submissions
- Website ‘Call for evidence’

“Stage 2: Inspecting

- Evidence analysis, including sampling of case files
- Stakeholder meeting(s)
- Onsite visit
 - Interviews
 - Focus groups
 - Observations
 - Surveys
- Review by the Independent Chief Inspector
- Further evidence request (if required)

“Stage 3: Reporting

- Presentation of emerging findings to the Home Office
- Drafting of report
- Factual accuracy checks of draft report by the Home Office
- Report finalised and sent to the Home Secretary”

2.15 The precise shape of, and methodological approach adopted for, any given inspection may vary depending on the subject matter, but there are no specific adaptations stipulated for inspections that may involve children and young people.

2.16 A standard ICIBI inspection following the three-stage process is expected to take 100 days, though in practice the duration of an inspection may vary, particularly if delays are encountered in the gathering of evidence. As noted above, it was not uncommon for inspections undertaken during the pandemic to experience such delays.

2.17 My successor as Independent Chief Inspector, David Neal, introduced shorter-form inspection formats from 2022, explaining his rationale for doing so in ICIBI's 2021-22 annual report [Exhibit DB/04 - INQ000642047] as follows:

“During the 2021-22 inspection year, the ICIBI introduced two new inspection formats: a 40-day (medium) inspection and a 30-day (short) inspection. During the 2023-24 inspection year, a 10-day ('spot check') inspection was introduced, allowing for short-notice and light-touch observational inspections of some of the Home Office's busy operational settings. By having these different types of inspections, the ICIBI aimed to deliver a more flexible and relevant programme, with increased reach across the different areas it is mandated to inspect.”

2.18 In deciding which methodology to employ for any given inspection, the Independent Chief Inspector will consider the complexity of the topic to be examined and the breadth of the inspection's potential scope, as well as the level of resource available within ICIBI to carry out the inspection.

2.19 ICIBI inspections result in inspection reports that are submitted to the Home Secretary and that include recommendations for her consideration. It is the practice of the Home Office to produce a response to each inspection report. In this document, published at the same time that the ICIBI report is laid in Parliament, the department states whether it accepts, partially accepts, or does not accept each recommendation.

2.20 The Home Office response to ICIBI inspections generally provides a narrative that lays out the rationale for its position and specifies what action, if any, it intends to take to meet each recommendation. Implementation of these actions is a matter for the Home Office. Though the Independent Chief Inspector has no role in monitoring work on outstanding recommendations or in agreeing whether they can be considered 'closed', ICIBI can carry out re-inspections to assess the progress made against recommendations in particular areas.

2.21 When ICIBI has prepared an inspection report, it undergoes a process of factual accuracy checking with the Home Office and is then submitted to the Home Secretary. The Home Office's process for preparing a response and arranging for the report to be laid in Parliament is a matter for it, and I do not have detailed information on the steps involved. Though the Home Office committed in 2015 to make reports available for publication within eight weeks of submission [Exhibit DB/07 - INQ000642050], subject

to both Houses of Parliament being in session, in recent years it has usually taken longer than that for reports to be laid in Parliament.

- 2.22 Out of 14 inspection reports submitted between 1 January 2019 and 31 December 2019, only one was published within eight weeks, and the average time from submission to publication was 17 weeks. Out of 31 reports submitted between 1 January 2020 and 28 June 2022, only two were published within eight weeks, and the average time from submission to publication was 18 weeks. Out of 14 reports submitted between 29 June 2022 and 29 June 2023, none was published within eight weeks, and the average time from submission to publication was 19 weeks.
- 2.23 In each year covered by this witness statement, the Independent Chief Inspector's annual report has identified delays to the publication of ICIBI reports as a concern. In my 2019-20 annual report [Exhibit DB/08 - INQ000642051], I wrote that "delays undermine the impact and value of ICIBI's work", as they "affect its ability in near time to influence how the Home Office is operating, and also put at risk ICIBI's credibility with external stakeholders". In my valedictory message in the 2020-21 annual report, I echoed my previously expressed concern about the risks arising from publication delays to "ICIBI's credibility as an independent and effective watchdog" and noted that I had "raised my concerns many times with ministers and senior officials". In his annual reports for 2021-22 [Exhibit DB/04 - INQ000642047] and 2022-23 [Exhibit DB/09 - INQ000642052], David Neal likewise expressed the disappointment and frustration he felt as a result of publication delays. Whenever I have raised the issue of publication delays with the Home Office it has maintained its position that, under the provisions of the UK Borders Act, the ICIBI does not have the power to publish its own reports, as it is for the Home Secretary to lay these reports in Parliament, but ministers and officials have assured me of their desire and intention to meet the commitment to lay ICIBI inspection reports in Parliament within eight weeks whenever possible.
- 2.24 The Independent Chief Inspector regularly consults with other relevant bodies on areas of mutual interest, including inspection plans and the possibility of joint working. The UK Borders Act 2007 (Border and Immigration Inspectorate) (Joint Working etc.) Order 2012 [Exhibit DB/10 - INQ000642053] designates HM Chief Inspector of Prisons (HMIP) and HM Inspectors of Constabulary (HMICFRS) as "prescribed persons" for the purposes of section 52 of the UK Borders Act, meaning that the Independent Chief Inspector "shall cooperate" and "may act jointly" with them in certain circumstances. From November 2020 to March 2021, ICIBI carried out a joint inspection with HMIP of

Napier Barracks and Penally Camp, which were then being used as asylum accommodation. ICIBI has memoranda of understanding outlining the nature of its relationship with HMIP [Exhibit DB/11 - INQ000642054] and HMICFRS [Exhibit DB/12 - INQ000642055], as well as with the Independent Monitoring Board [Exhibit DB/13 - INQ000642056], which is not designated as a "prescribed" person or body with which ICIBI can formally act jointly. No such relationship exists with the Single Competent Authority, which is part of the Home Office.

Section 3: Planning prior to the pandemic

- 3.1 Prior to January 2020, the ICIBI did not hold or have access to any planning materials which considered pandemic planning, whether in relation to inspections/reports involving children and young people or otherwise. Nor did the ICIBI hold or have access to any planning materials which considered how it would discharge its responsibilities in relation to inspections/reports in any areas, including those involving children and young people, in the event of a pandemic or a comparable civil emergency.
- 3.2 Between January 2020 and the announcement of a national lockdown in March 2020, the ICIBI did not undertake any planning specifically focused on how it would discharge its statutory responsibilities in the event that the emerging situation developed into a pandemic or in the event of a lockdown. As previously noted, the UK Borders Act 2007 charges the Independent Chief Inspector with monitoring the immigration, asylum, nationality, and customs functions carried out by, and on behalf of the Home Secretary, rather than conferring upon ICIBI any specific statutory responsibilities towards children and young people.

Section 4: Impact of lockdown

The Prime Minister's announcement of 23 March 2020

- 4.1 The ICIBI became aware that the Prime Minister was contemplating a formal national lockdown only when he announced the lockdown measures on 23 March 2020.
- 4.2 No advice or information was provided by the government to the ICIBI from January to March 2020 about the effect that a lockdown might have on any areas of work for which ICIBI had responsibility.

- 4.3 No work was undertaken by the ICIBI between January and March 2020 to understand or consider what might need to be done by it in the event of a lockdown, having regard to any its statutory responsibilities, including where these might encompass children and young people. The ICIBI was not asked to contribute to any assessment about the impact a lockdown might have upon inspections in areas that involved children and young people.

The announcement of the second national lockdown

- 4.4 During the second national lockdown, the ICIBI applied what had been learnt from the first national lockdown by having its staff continue to work from home and by following the approach to inspection activity developed while the first lockdown was in effect. The greatest impact on inspection work was on ICIBI's ability to undertake onsite visits. The ICIBI was guided by the rules in place nationally and at the locations staff sought to visit. Interviews with Home Office staff and stakeholders were conducted remotely.
- 4.5 By the time of the second national lockdown, some of the Home Office IT issues which constrained inspection work during the first national lockdown, such as some parts of the department lacking access to laptops or staff being unable to work from home, had been resolved, making remote working easier.
- 4.6 The ICIBI was not asked to contribute to any assessment about the impact that a further lockdown might have on any areas of work for which it was responsible, including areas relating to children and young people.

The announcement of the third national lockdown

- 4.7 During the third national lockdown, the ICIBI applied what had been learnt from the first and second lockdowns by continuing to follow the approach developed during the first and second national lockdowns. Adapting to the required ways of working was easier, as staff had worked under them on two previous occasions.
- 4.8 The ICIBI was not asked to contribute to any assessment about the impact that a further lockdown might have on any areas of work for which it was responsible, including areas relating to children and young people.

- 4.9 Because its statutory role is to monitor and make recommendations on the efficiency and effectiveness of border and immigration functions, rather than to consider the impact of public health measures adopted during the pandemic or to meet specific responsibilities to children and young people, the ICIBI has not undertaken, and it is not aware of, any monitoring, assessment, or analysis of the impact of any of the three lockdowns on children and young people. To the extent that inspections carried out by the ICIBI during the Specified Period touched upon the impact of the pandemic and of lockdown restrictions on children and young people, this is addressed in the discussion of relevant inspections below.

Section 5: ICIBI Inspections prior to the Specified Period

- 5.1 During the year prior to the Specified Period – that is, from 1 January 2019 to 31 December 2019 – the ICIBI submitted 14 inspection reports to the Home Secretary. Of these, only one, ‘A re-inspection of the Home Office’s application of the good character requirement in the case of young persons who apply for registration as British citizens (August 2018 – January 2019)’, focused specifically on children and young people. The re-inspection report [Exhibit DB/14 - INQ000642057], containing two recommendations, was sent to the Home Secretary on 31 January 2019 and published on 4 April 2019.
- 5.2 The report’s findings and recommendations are summarised in my annual report for 2019-20 [Exhibit DB/08 - INQ000642051]. As I laid out there, the re-inspection revisited the recommendations made in an earlier inspection of this area, published in 2017, which had related to the published guidance around the ‘good character’ requirement in applications by young people for British citizenship: “The [2019] re-inspection report provided a chronology of the Home Office’s progress towards implementing the original recommendations, together with its explanations for the delays [in updating the guidance as recommended], and an initial read-out on the new guidance.” The re-inspection found that, since the new guidance appeared, “in large part, simply to restate the previous policy, albeit with more explicit references to its application to children and young persons, it was hard to see why it should have taken the Home Office so much longer than it had originally thought to publish it.” The re-inspection also found that “the new guidance failed to address the question of caseworker discretion as had been recommended, except in the most general terms”, and that, in the case files examined for the re-inspection, “the general standard of the

record keeping was not commensurate with either the complexity of the cases or the significance of these decisions.”

- 5.3 The re-inspection report’s two recommendations called for “close monitoring by the Home Office of the effects of the new guidance” and for “better record keeping regarding decisions”. The second recommendation specified that case records should include a “full and accurate account of the considerations that have been given to the Home Secretary’s Section 55 obligations” to ensure “that the child’s ‘best interests’ have been thoroughly explored” and that “the child’s ‘voice’” has been taken into account. In its response to the report and to these recommendations [Exhibit DB/15 - INQ000642058] the Home Office accepted the first recommendation “in full” and partially accepted the second. The Home Office’s partial acceptance was “on the basis that the child’s voice is not a mandatory part of the citizenship application”; the department noted that “[c]itizenship applications for children are almost exclusively made by a responsible adult or guardian on behalf of the child applicant and no direct interaction with the child is necessary nor takes place.” In my annual report for 2019-20 [Exhibit DB/08 - INQ000642051], I commented that while this was true, “the Home Office should be actively reaching out to the responsible adult or guardian and ensure that they provide as much information as possible in support of the application, including the child’s view.”
- 5.4 While the 2019 re-inspection of the application of the good character requirement in applications by young people for registration as British citizens was the only ICIBI inspection during the year prior to the Specified Period to focus specifically on children and young people, other inspections related to aspects of the immigration system relevant to children as well as adults, and some did make specific references to children.
- 5.5 For example, my inspection report of the policies and practices of the Home Office’s Borders, Immigration, and Citizenship Systems relating to charging and fees [Exhibit DB/16 - INQ000642059], submitted to the Home Secretary on 24 January 2019 and published on 4 April 2019, included amongst its 12 recommendations one (recommendation 7) that called for the publication of statements by the Home Office to “show clearly what has been considered when proposing fees levels/increases in terms of equality and diversity, in particular the social and welfare impacts on children, families and vulnerable persons”. In its response to this report [Exhibit DB/17 -

INQ000642060], the Home Office partially accepted this recommendation, agreeing “that it is important to take account of any impact on equality and diversity, particularly any social and welfare impacts on children, families and vulnerable persons, when considering changes to fees levels”, and undertaking to “consider publication of fee-related Policy Equality Statements on a case by case basis going forward”.

- 5.6 The report resulting from another 2019 inspection, on the EU Settlement Scheme [Exhibit DB/18 - INQ000642061], took into account evidence provided by stakeholders – including the Children’s Society, the Refugee and Migrant Children’s Consortium, and others who had acted on behalf of children and young people applying to the EUSS – who raised concerns about the challenges faced by vulnerable people, including children, in accessing the scheme. The inspection report, which was submitted to the Home Secretary on 30 September 2019 and published on 27 February 2020, therefore recommended that the Home Office publish its Policy Equality Statement (PES) on the EUSS in order to “provide reassurance that the impacts of the EUSS have been fully considered, in particular for vulnerable and hard-to-reach individuals and groups” (recommendation 3). In its response to the report [Exhibit DB/19 - INQ000642062], the Home Office accepted this recommendation.
- 5.7 The ICIBI is limited in its ability to offer a view on the speed and effectiveness of the Home Office’s implementation of its recommendations, as the inspectorate would generally need to carry out a re-inspection in order to assess the pace and impact of actions taken in response to specific recommendations. Though re-inspection provides a mechanism for examining the extent of progress made in a previously inspected area, implementation and closure of ICIBI recommendations are matters for the Home Office, rather than the inspectorate.
- 5.8 However, I commented in my annual report for 2019-20 [Exhibit DB/08 - INQ000642051] that the Home Office often did not begin implementing recommendations as quickly as it could. I wrote that, “while I have sometimes seen evidence of the Home Office having acted quickly, it often seems that there has been little, if any, movement before the formal response [to an inspection] has been signed off by ministers, which is typically just before publication” and “[t]he published responses reinforce this impression.” I said I was “frequently left feeling that the Home Office could go further and faster, and also that its acceptances of recommendations come with too many caveats and broad assurances rather than commitments to specific, time-bound actions.” I also noted, and expressed my agreement with, the

judgement offered by Wendy Williams in her Windrush Lessons Learned Review that ICIBI recommendations “that refer to systemic or cultural issues, such as stakeholder engagement, or proper evaluation of the impact of policies on different groups of people, or staff training and development, as opposed to process-related recommendations, tend to be left unresolved” and that, in the case of those “deeper-rooted recommendations”, the Home Office “looks to ‘close’ the recommendation rather than learn”.

Section 6: ICIBI Inspections during the Specified Period

- 6.1 During the Specified Period – that is, between 1 January 2020 to 28 June 2022 – the ICIBI submitted 31 inspection reports to the Home Secretary. Of these, only one, ‘An inspection of the use of hotels for housing unaccompanied asylum-seeking children (UASC) (March-May 2022)’, focused specifically on children and young people. As was the case during the year prior to the Specified Period, other inspection reports examined aspects of the immigration system that were relevant to children as well as adults, and seven of those that made specific and substantive reference to issues faced by children and young people are discussed briefly below.

An inspection of the use of hotels for housing unaccompanied asylum-seeking children

- 6.2 The production of the ICIBI’s inspection report on the use of hotels for housing unaccompanied asylum-seeking children [Exhibit DB/20 - INQ000518738], which was submitted to the Home Secretary on 9 June 2022 and published on 19 October 2022, was overseen by David Neal during his tenure as Independent Chief Inspector. The evidence that I am able to give in relation to this inspection is based on my understanding of the facts as gleaned from published documentation, records held by the ICIBI, and consultation with ICIBI staff.
- 6.3 This inspection was not included in the ICIBI’s inspection plan for 2021-22 [Exhibit DB/21 - INQ000642065], published on 23 July 2021, as the provision by the Home Office of hotel accommodation for unaccompanied children only began that month (July 2021). Concern about, and public interest in, these arrangements mounted only over the months that followed. David Neal’s adoption of shorter inspection formats, in part with a view to give the inspectorate more flexibility to examine issues emerging over the course of the business year, meant that the ICIBI had the capacity to carry out

an additional inspection that had not been included in the plan adopted the previous summer.

- 6.4 In a 18 March 2022 letter to the department formally notifying it of his intention to inspect this area [Exhibit DB/22 - INQ000642066], David Neal said that the inspection was being launched in “response to concerns raised with us by stakeholders” and following “our own intelligence-gathering activities”. Though this indicates that the issue was highlighted in the course of the Independent Chief Inspector’s routine engagement with stakeholders, the ICIBI holds no record of specific approaches on this subject prior to the launch of the 2022 inspection. The ICIBI will, in any case, have been monitoring media coverage of the use of hotels to accommodate unaccompanied children, as well as public expressions of concern about the practice from organisations such as the Children’s Society and the Office for Standards in Education, Children’s Services and Skills (Ofsted), over the second half of 2021 and the early months of 2022.
- 6.5 The inspection was carried out with support from Ofsted, which provided “advice and assistance to ICIBI inspectors during the onsite phase of inspection by sharing their expertise of the provision of children’s services and child safeguarding” (as noted in the inspection report), in line with formal terms of reference agreed between ICIBI and Ofsted for this inspection [Exhibit DB/23 - INQ000642067]. In his annual report for 2021-22 [Exhibit DB/04 - INQ000642047], David Neal stated that a “more formal joint approach” to the inspection might have been merited, “had statute allowed” – a reference to the fact that the UK Borders Act 2007 (Border and Immigration Inspectorate) (Joint Working etc.) Order 2012 [Exhibit DB/10 - INQ000642053] does not include Ofsted amongst the bodies with which the ICIBI “may act jointly”.
- 6.6 David Neal referred to the ICIBI’s collaboration with Ofsted in a meeting with the Minister for Justice and Tackling Illegal Migration on 23 May 2022, reflecting (according to an ICIBI note of the meeting [Exhibit DB/24 - INQ000642068]) that “there has to be a better way for us to join up with other bodies”. The ICIBI note of the meeting indicates that “the minister said he’d think about that.” The ICIBI has no record of further communications from the government on this matter. The ICIBI continues to engage with Ofsted on matters of mutual interest, but no more formal joint working relationship has been established between our two organisations.

- 6.7 The findings of the inspection are summarised in the ICIBI's annual report for 2022-23 [Exhibit DB/09 - INQ000642052]:

"The inspection found that, in its provision of accommodation to unaccompanied children, the Home Office was struggling to move on from an emergency response to a decision by Kent County Council to accept additional young people into its care and to delays in placing children with other local authorities through the National Transfer Scheme. Though the Home Office had been relying on hotels to house children for seven months at the time of the inspection, the fact that the use of such accommodation had been envisaged as a short-term solution meant that the operation had developed in a piecemeal and inconsistent fashion, without a coherent design or sufficient oversight, and that staff still lacked the necessary skills, expertise, and authority to ensure the safeguarding and welfare of the children in the department's care. While the young people who spoke to inspectors all stated that they were happy and felt safe in the hotels, the inspection revealed gaps in protection and found that marked improvements were needed to make the operation fully child centred."

- 6.8 The inspection report noted that one of the six hotels used by the Home Office to house unaccompanied children since July 2021 was set up to accommodate young people who tested positive for COVID-19, and that nurses working with residents of the hotels were clear on the process for obtaining consent for COVID-19 vaccines, but in general the impact of the pandemic was not a focus of the report.
- 6.9 The inspection report included four recommendations, calling for the Home Office to (1) prevent individuals without a clear enhanced Disclosure and Barring Service check from residing and working within the hotels; (2) undertake a robust assessment of the collective needs of the young people housed in hotels; (3) develop a challenge and scrutiny mechanism to monitor the delivery of the operation, with a focus on safeguarding children's welfare; and (4) develop and begin delivering an exit strategy from the use of hotels. In its response to the report [Exhibit DB/25 - INQ000642069], the Home Office accepted the first recommendation and partially accepted the other three, indicating that its partial acceptances were based on an inability to deliver within the timescales specified for implementation.
- 6.10 In his annual report for 2022-23 [Exhibit DB/09 - INQ000642052], David Neal wrote that he had included timescales for the implementation of his recommendations "to

reflect the urgency of the issues identified and to facilitate the monitoring of implementation” and that it was therefore “disappointing” that the Home Office had cited an inability to meet those timescales to justify its partial acceptance of some recommendations.

- 6.11 A 2023 re-inspection of the use of hotels for housing unaccompanied asylum-seeking children provided an opportunity for the ICIBI to form a view on the speed and effectiveness of the Home Office’s implementation of its 2022 recommendations. The report resulting from the re-inspection [Exhibit DB/26 - INQ000642070] was submitted to the Home Secretary on 7 November 2023 and published on 29 February 2024. Its findings with respect to the status of the 2022 recommendations are summarised in the ICIBI’s annual report for 2023-24 [Exhibit DB/27 - INQ000642071]:

“The re-inspection concluded that: steps taken by the Home Office to monitor DBS checking of staff by contractors fell short of effective oversight; the recommended assessment of the collective needs of children had not taken place, and no equality impact assessment of the use of hotels to accommodate UAS children had been completed; a challenge and scrutiny mechanism had not been established[,] and although the Home Office had been open to external scrutiny and invited organisations into hotels to challenge the safeguarding arrangements and to promote the welfare of children, it had often been too slow to implement the recommendations arising from these visits. Finally, the re-inspection found that the Home Office still did not have an exit strategy when litigation was brought to challenge its practices.”

In short, more than a year after the first inspection, the ICIBI found that none of those recommendations had been implemented in full.

Other relevant inspections during the Specified Period

- 6.12 Other ICIBI inspection reports submitted during the Specified Period that did not focus on children and young people but that did feature specific and substantial reference to issues relevant to them included:

- “An inspection of family reunion applications (June – December 2019)” [Exhibit DB/28 - INQ000642072], submitted to the Home Secretary on 7 January 2020

and published, with the Home Office response [Exhibit DB/29 - INQ000642073], on 8 October 2020

- “An inspection of UK Refugee Resettlement Schemes (November 2019 – May 2020)” [Exhibit DB/30 - INQ000642074], submitted to the Home Secretary on 14 September 2020 and published, with the Home Office response [Exhibit DB/31 - INQ000642075], on 11 November 2020
- “A further inspection of the EU Settlement Scheme (July 2020 – March 2021)” [Exhibit DB/32 - INQ000642076], submitted to the Home Secretary on 15 July 2021 and published, with the Home Office response [Exhibit DB/33 - INQ000642077], on 13 January 2022
- “An inspection of asylum casework (August 2020 – May 2021)” [Exhibit DB/34 - INQ000215562], submitted to the Home Secretary on 23 July 2021 and published, with the Home Office response [Exhibit DB/35 - INQ000642079], on 21 October 2021
- “An inspection of contingency asylum accommodation (May 2021 – November 2021)” [Exhibit DB36 - INQ000215564], submitted to the Home Secretary on 16 February 2022 and published, with the Home Office response [Exhibit DB/37 – INQ000642081], on 12 May 2022
- “An inspection of the initial processing of migrants arriving via small boats at Tug Haven and Western Jet Foil (December 2021 – January 2022)” [Exhibit DB/38 - INQ000642082], submitted to the Home Secretary on 24 February 2022 and published, with the Home Office response [Exhibit DB/39 - INQ000642083], on 21 July 2022
- “An inspection of the Home Office’s processing of family visas (September 2021 – February 2022)” [Exhibit DB/40 - INQ000642084], submitted to the Home Secretary on 20 May 2022 and published, with the Home Office response [Exhibit DB/41 - INQ000642085], on 18 October 2022

6.13 The findings and recommendations of each of these inspection reports are also summarised in the ICIBI annual report corresponding to the inspection report’s year of publication.

- 6.14 The family reunion inspection, relating to the visa route through which the pre-flight family members of recognised refugees (including their minor children) are able to apply for permission to join their sponsor in the UK, took place almost entirely before the start of the Specified Period but is included here because it was submitted to the Home Secretary just after the start of 2020. While most of the recommendations contained in the report did not relate specifically to children, one (recommendation 4) included a call for greater clarity on the Home Office position on child sponsors and on funding for DNA tests (which would be relevant to confirming the relationship between an adult and a child). In its response, the Home Office accepted this recommendation and laid out its position on those points.
- 6.15 The 2019-20 inspection of refugee resettlement schemes included coverage of the Vulnerable Children's Resettlement Scheme (VCRS), a programme created in 2016 with the aim of resettling up to 3,000 refugees by 2020. In the event, the VCRS had resettled 1,826 refugees – most from Iraq or Sudan – by mid-March 2020, though fewer than 100 of those resettled were unaccompanied children. By the time of this inspection, the government had announced its intention to replace the VCRS and another resettlement programme with a new UK Resettlement Scheme (UKRS), but the launch of that scheme had been delayed by the COVID pandemic. One recommendation from this inspection specifically relating to children (recommendation 4) called for the Home Office to “[p]ublish a Statement of Intent in respect of the eligibility of unaccompanied minors to be resettled through the UK Resettlement Scheme (UKRS), capturing and drawing on the lessons learned from those resettled through VCRS, and including details of the steps being taken to ensure that the National Transfer Scheme (NTS) is fully functioning”. In its response, the Home Office accepted this recommendation, noting that the inclusion of unaccompanied minors in the UKRS was to be confirmed in a forthcoming policy statement.
- 6.16 The 2020-21 further inspection of the EU Settlement Scheme considered, amongst other issues, the accessibility of the scheme to vulnerable people, including looked after children and care leavers, and it took into account stakeholders' concerns about “the potential for children to fall through the gaps when it comes to applying to the EUSS” [p. 60]. The inspection found that there was a lack of child-friendly information about the scheme and that there were inconsistencies in the handling of applications from children. The report noted the impact that COVID-19 pandemic restrictions had had on the ability of the Home Office to carry out engagement events to reach

vulnerable cohorts and on the ability of those groups to obtain the evidence to support their applications. But it concluded that the Home Office had “responded well to minimise the disruption caused to applicants, as far as possible” [p. 2]. One recommendation in the report relating specifically to children (recommendation 3) called upon the Home Office to “Issue refresher training and guidance to caseworkers on assessing applications of children and young persons under 21, setting out clearly when evidential flexibility can be applied, and take steps to identify and allocate sibling/family member(s) to the same caseworker, wherever possible”. In its response to the report, the Home Office accepted this recommendation and said it had already completed the actions necessary to implement it.

6.17 The 2020-21 inspection of asylum casework did not focus specifically on children and young people, but it did discuss the disruptive effect of the COVID-19 pandemic on the work of Asylum Operations, noting that there was a significant shift to remote working, a pause on asylum interviews, and a drop in the number of asylum decisions made. The report highlighted stakeholder concerns about the impact of the resulting delays on unaccompanied asylum seeking children, as they represented a particularly vulnerable group. One recommendation in the report specifically relating to children (recommendation 2) called on the Home Office to “[p]rioritise claims for unaccompanied asylum seeking children (UASC), as per the Immigration Rules”. In its response to the report, the Home Office accepted this recommendation, noting that it had already “established two dedicated case working Hubs for deciding children’s asylum claims” and that it was “currently allocating more casework resource to UASC claims than the proportion of UASC intake and recruiting additional decision-makers who will be trained to process children’s asylum claims”.

6.18 The 2021 inspection of contingency asylum accommodation examined the use of hotels to house destitute asylum seekers, a practice that expanded significantly during, and in part as a result of, the COVID-19 pandemic. Its scope did not include the hotels used to accommodate unaccompanied asylum-seeking children – which, as noted above, were the focus of a separate inspection – but the inspection did examine the standard of accommodation provided, and the safeguarding arrangements in place, for families with children in asylum hotels. The report reflected stakeholders’ view – acknowledged by Home Office officials and by service providers – that “hotels were not suitable for families with children over prolonged periods of time” [p. 74]. Specific issues around access to education for children in contingency asylum accommodation and the provision of window restrictors in hotels to ensure the safety of children were

also addressed. The seven recommendations in the report did not directly and explicitly relate to children and young people, but the recommendations calling for effective consultation mechanisms with local authorities and wraparound services (including education) prior to the establishment of new contingency asylum accommodation sites (recommendation 2) and for a system to record details of safeguarding issues in hotels (recommendation 7) will have been relevant to them. In its response, the Home Office accepted all seven recommendations.

6.19 The 2021-22 inspection of the processing of migrants arriving in small boats examined the operation in place to receive arrivals, including families with children and unaccompanied children and young people, at Western Jet Foil at the Port of Dover and at the reception facility at Manston. The ICIBI's annual report for 2022-23 states that "[t]he inspection found that the Home Office's performance in delivering an effective and efficient response to the increasing volume of migrant arrivals via small boats was poor, largely because the department remained on an 'emergency' footing, having failed to undertake the planning and investment necessary to establish appropriate facilities, and embed routine procedures, to meet the challenge". Key findings relating to children included observations that the "treatment of those claiming to be children was not child-centred", that the "age assessment process was perfunctory", and that "engagement with the young people was minimal." One recommendation in the report that related to children was that the Home Office should: "[p]rovide guidance, training and monitoring mechanisms for staff to improve operational performance in respect of ... identifying all vulnerable migrants at the earliest opportunity and engaging, proactively and constructively, with those with inherent vulnerabilities, such as unaccompanied children, single women and families". The recommendation also called for better recording and analysis of data on the vulnerabilities of those arriving by small boat. In its response, the Home Office accepted this and the three other recommendations presented in the report.

6.20 The 2021-22 inspection of the processing of family visas focused on the handling of applications for indefinite leave to remain (settlement) from partners and other dependants of British citizens and other settled people in the UK. The ICIBI's annual report for 2022-23 noted that the inspection report found that "the process of applying for ILR can be complex, time consuming, and expensive" for applicants, that "those applying for ILR on family routes had yet to see any benefit from the Home Office's programme to simplify the Immigration Rules", and that "the clarity of communication with applicants required improvement". While the inspection did not specifically focus

on children and young people, it considered the impact of the Home Office's policies and processes on families, including children. The report reflected stakeholders' concerns about the financial impact on families of high immigration fees, as well as their view that the ten-year route to settlement on which some applicants were placed negatively affected the ability of low-income families to participate fully in society. One of the four recommendations resulting from the inspection called for the Home Office to address this last concern by reviewing and updating its Equality Impact Assessment "to understand the impact on applicants and their dependents [sic] who are on the 10-year route", amongst other groups. In its response to the report, the Home Office accepted this recommendation.

- 6.21 As noted previously, the ICIBI is generally only able to offer a view on the Home Office's implementation of its recommendations when the inspectorate has carried out a re-inspection to assess progress made. In the case of several of the relevant inspections carried out during the Specified Period, re-inspections or new inspections of the same area have been completed, allowing for some comment on steps taken in response to the original inspections of family reunion, asylum casework, the processing of small boat arrivals, and contingency asylum accommodation.
- 6.22 A re-inspection of family reunion was carried out between September and October of 2022; the resulting re-inspection report [Exhibit DB/42 - INQ000642086] was submitted to the Home Secretary on 14 December 2022 and published on 21 February 2023. The ICIBI's annual report for 2022-23 [Exhibit DB/09 - INQ000642052] summarised the findings of this re-inspection:

"The inspection found that limited progress had been made in implementing the 2019 recommendations and that new issues had emerged, in part as a result of the poorly managed transfer of responsibility for decision making on family reunion applications from Asylum Operations to the Reunion and Returns team. Inspectors found that a substantial backlog of applications had built up and that there was no evidence that vulnerability was taken into account in prioritising cases. The inspection report concluded that urgent attention to this area was needed to deliver an effective immigration route and to ensure that the department was prepared for a likely rise in the volume of family reunion applications."

- 6.23 In its response to the re-inspection report [Exhibit DB/43 - INQ000642087], the Home Office accepted all five of the recommendations that it made, including one (recommendation 2), which called for the introduction of “criteria for expediting applications based on vulnerability”. The department also accepted another recommendation (recommendation 5), which called for it to “review progress on recommendations two to four” from the prior inspection. With respect to the recommendation in the prior inspection that the Home Office clarify its position on child sponsors under the family reunion route, the department, in its response to the re-inspection, reiterated its concern that “allowing children to sponsor parents would risk creating incentives for more children to be encouraged, or even forced, to leave their family and attempt hazardous journeys to the UK”, adding that “Government policy is not designed to keep child refugees apart from their parents, but [that] in considering any policy we must think carefully about the wider impact to avoid putting more people unnecessarily into harm’s way.”
- 6.24 A further inspection of asylum casework took place between June and October 2023; the resulting inspection report [Exhibit DB/44 - INQ000642088] was submitted to the Home Secretary on 11 January 2024 and was published on 29 February 2024. In his foreword to the report, David Neal cited the failure of the Home Office to introduce a service standard for asylum decisions – a measure recommended in previous inspection reports – as “part of a pattern seen by the ICIBI in which its recommendations are accepted by the Home Office but not delivered”. Noting challenges still faced by the asylum system, David Neal expressed his view that it was “clear that the Home Office did not implement the recommendations from the previous inspection with sufficient rigour”. The inspection found that Asylum Operations had “undoubtedly made significant strides in increasing productivity”, but that “the focus on clearing the legacy backlog ‘at all costs’” may have “led to perverse outcomes for claimants and staff”. The introduction of a streamlined asylum process for children of some nationalities was cited as a success, however, and it was noted that claims from unaccompanied children were handled by a dedicated team. In its response to the inspection report [Exhibit DB/45 - INQ000642089], the Home Office accepted four recommendations and partially accepted two.
- 6.25 A re-inspection of the initial processing of migrants arriving via small boats was carried out between January and February 2023; the resulting re-inspection report [Exhibit DB/46 - INQ000642090] was submitted to the Home Secretary on 4 April 2023 and published on 15 June 2023. The re-inspection examined the Home Office’s progress

in implementing the recommendations made following the 2021-22 inspection, which had related to security, vulnerability, collection and use of information, and resourcing. The ICIBI's annual report for 2023-24 summarised the findings of, and outcomes from, the re-inspection as follows:

“... new appointments had provided more senior leadership capacity for the small boats' operation, but the new leadership structure was not yet embedded and had not been stress-tested when arrival volumes were high. There was no clear overall strategy and delivery plan for small boat operations and the Small Boats Operational Command (SBOC) needed to develop a cultural identity. There were some improvements to staff awareness of vulnerabilities, but these had been hampered by staff being overstretched and a lack of training. The strategy for data collection was unclear, and there was still no single reliable system in place. Conditions at Manston had improved since October 2022, including in the provision of heated purpose-designed marquees, food and medical support.

“The re-inspection resulted in three recommendations: to publish a strategy for SBOC and the processing of small boat arrivals, covering Western Jet Foil and Manston; to develop a data strategy for the small boats operation; and to conduct a training needs analysis for SBOC operations to produce a comprehensive training and development plan. The Home Office fully accepted two recommendations and partially accepted one.”

- 6.26 Finally, a further inspection of contingency asylum accommodation between November 2023 and June 2024 followed on from the 2021 inspection of asylum hotels; the resulting inspection report [Exhibit DB/47 - INQ000642091] was submitted to the Home Secretary on 3 September 2024 and published on 24 October 2024. While it was carried out as a new inspection rather than a re-inspection assessing progress against prior recommendations, the report covered some of the same areas covered by the 2021 inspection. The foreword to the report noted that the inspection “looked at the department’s strategies for dealing with increasing demand for this type of accommodation while needing to reduce the costs, and that it “explored the Home Office’s processes and practice for assuring the performance of the accommodation service providers, and the delivery of support and services to the service users.” The report drew particular attention to several longstanding issues that had not been resolved despite featuring in past ICIBI reports, including the poor quality of Home

Office data, shortcomings in the department's assurance regime for the asylum accommodation contracts, and a lack of meaningful engagement with stakeholders. The inspection report made nine recommendations, one of which – calling for improvements to safeguarding practices (recommendation 7) – might be seen as particularly relevant to children and young people. In its response to the report [Exhibit DB/48 - INQ000642092], the Home Office partially accepted this recommendation and four others, while it accepted the remaining four recommendations in full.

6.27 More broadly, my view and that of David Neal on the Home Office's responses to the ICIBI's recommendations and on the speed and effectiveness of the implementation of those recommendations during the Specified Period echoed the view I had expressed on these points previously. In my valedictory message in the ICIBI's 2020-21 annual report, I wrote that the Home Office's responses to ICIBI inspection reports were "still too often caveated or non-specific in terms of what it would do to implement recommendations and by when" and that the department only "seldom" moved quickly to start implementing recommendations as soon as a report had been sent to the Home Secretary. In his 2021-22 annual report, David Neal referred to his "dissatisfaction" with the Home Office's implementation of ICIBI recommendations, citing examples of recommendations that had been accepted but not implemented. He also noted that it remained the case that "that many acceptances were qualified, often reflecting an acknowledgement of a concern raised by an inspection without necessarily committing to the specific steps recommended to address it."

6.28 During the Specified Period, there were a number of other topics and issues which involved children and young people that stakeholders brought to the attention of the Independent Chief Inspector as background information or for his consideration as he formulated future inspection plans.

6.29 The ICIBI's stakeholder fora represented one channel through which such issues could be raised. For example, at a November 2021 meeting of the ICIBI's Refugee and Asylum Forum (the 'RAF'), composed of NGOs, charities, advocacy groups, and others who work with refugees and asylum seekers, one attendee noted a concern about unaccompanied asylum-seeking children being sent to adult asylum accommodation, having been wrongly assessed as adults. Interest in age assessments as an issue was also expressed at the March 2022 meetings of the RAF and of the Strategic Migration Partnerships Forum, composed of representatives of the regional partnerships of local authorities that are involved in coordinating the delivery

of services to asylum seekers and of resettlement schemes. Other areas of concern relating to children and young people, including lengthy detention of young people following their arrival in the UK by small boat, the functioning of the National Transfer Scheme, and the impact on children of delays in the processing of asylum claims, were raised in direct engagement (meetings and conversations) between the Independent Chief Inspector and stakeholders.

6.30 The approaches described above generally did not amount to a “request” that the Independent Chief Inspector carry out an inspection of a particular area relating to children and young people, and the ICIBI holds no correspondence from the Specified Period in which such a request was made. In line with the UK Borders Act 2007, the ICIBI does not solicit or respond to direct “requests” to carry out particular inspections, except where these are made as Home Secretary Commissions. Rather, there are processes for gathering views from stakeholders about their issues and priorities, from which the Independent Chief Inspector decides what areas to inspect, when and how. In this way, the ICIBI aims to craft a balanced programme that covers, insofar as it is possible within ICIBI's limited resources, the vast breadth of the migration and borders system.

6.31 At times, matters are raised with ICIBI that fall outside my remit. One such instance, which is relevant here, concerned a letter I received from Ofsted, dated 18 September 2020 [Exhibit DB/49 - INQ000642093], which conveyed allegations from a whistleblower that standards of care for unaccompanied minors in Kent had “slipped far below the expected standards”, with long delays in the age assessment process. The letter also referred to very poor standards of care at “reception centres” in Kent. Ofsted provided this information “for [my] action if appropriate” and asked to whom they should make enquiries if the matter was not within my jurisdiction. I answered on 9 October 2020 [Exhibit DB/50 - INQ000642094] that I did not believe that most of the allegations were within my remit to address, as many appeared to relate to children's services functions for which the local authority was responsible, while the “reception centres” referred to in the letter – assuming this was a reference to the short-term holding facilities where children and young people were detained immediately after arrival – would be subject to inspection by HM Inspectorate of Prisons.

6.32 While these were not matters for the ICIBI, they did inform subsequent inspections. The initial processing of children arriving by small boat featured in subsequent ICIBI inspections of operations at Western Jet Foil and Manston. Meanwhile, another area of

concern raised by stakeholders – age assessments – was included in David Neal’s inspection plan for 2023-24 [Exhibit DB/51 - INQ000642095], and although he was unable to initiate that inspection before he was dismissed in February 2024, I have since overseen an inspection of that topic. My completed report was sent to the Home Secretary on 20 May 2025.

Section 7: ICIBI Inspections after the Specified Period

- 7.1 During the year following the Specified Period – that is, from 29 June 2022 to 28 June 2023 – the ICIBI submitted 14 inspection reports to the Home Secretary. None of these inspections focused specifically on children and young people. Two reports that included some specific references to children and young people and the issues they face in the immigration system – the re-inspections of family reunion applications and of the processing of small boat arrivals – have been discussed above in the context of assessments of progress against recommendations arising from inspections carried out during the Specified Period.
- 7.2 One additional report that made specific and substantial reference to children and young people was based on an inspection largely conducted over the course of May and June 2023, though the report was not submitted to the Home Secretary until after the end of the year following the specified period, on 8 August 2023. That report examined contingency asylum accommodation for families with children in Northern Ireland [Exhibit DB/52 - INQ000642096]. The inspection was carried out in response to a request from senior officials in the Home Office that the topic be included in the ICIBI’s inspection programme, with that request following on from expressions of concern about this area from stakeholders in the region. The inspection found issues that mirrored those documented in its inspections of contingency asylum accommodation across the UK. The inspection report made five recommendations, including one (recommendation 2) that called for the Home Office to ensure that it captured “the views and concerns of children and young people” in asylum accommodation, as well as other recommendations that called for improvements to safeguarding procedures. In its response to the report [Exhibit DB/53 - INQ000642097], the department “accepted that existing materials could be strengthened to ensure minors have discreet access to information if experiencing difficulties whilst in asylum accommodation”, but did “not accept that it should directly approach children to procure their views and concerns”, suggesting that “this would be

inappropriate considering consequent legal barriers that would impact on our ability without consent/supervision of a responsible adult.”

- 7.3 Previously expressed views on the speed and effectiveness of the implementation by the Home Office of ICIBI recommendations continued to apply during the year following the Specified Period. In his annual report for 2022-23, David Neal wrote that “[t]here have been a number of occasions again this year when we have revisited recommendations that have been accepted but not delivered.” In my own foreword to the 2023-24 annual report [Exhibit DB/27 - INQ000642071], I wrote that “[a]cceptance is not the same as implementation, as the inspectorate has too often found when it has returned to re-inspect an area, and again in 2023-24 re-inspections identified that earlier recommendations had been accepted but had not been implemented.”

Section 8: Reflections and lessons learned

- 8.1 No analysis has been undertaken of the impact on children and young people of the inspections carried out by the ICIBI during the Specified Period, The ICIBI does not analyse the impact of its inspections, but a re-inspection of a particular area may assess the effectiveness of the measures implemented by the Home Office in response to past recommendations.
- 8.2 No review, assessment or lessons learned process has taken place either during or since the end of the Specified Period about the decisions that the ICIBI made in response to the pandemic and which relate to children and young people. No such activity has been undertaken as the ICIBI has no specific statutory responsibilities with respect to children and young people.
- 8.3 With respect to what the Home Office could have done better and what it did well during the Specified Period to protect children and young people in the immigration and asylum system, I am unable to add to the substantive findings and recommendations contained within the ICIBI’s reports, other than to reiterate that children and young people, like all stakeholders in the immigration and asylum system, would benefit if the Home Office were to address effectively the longstanding themes and issues identified through the inspectorate’s inspection activity. In my annual report for 2019-20 and again my valedictory message in 2020-21, I emphasised the need for the Home Office “to focus on getting ‘the basics’ right, including: creating and maintaining accurate and retrievable records; quality assuring decisions; generating

and making use of reliable data and management information to inform policies, priorities and performance; communicating clearly (which includes listening) to staff and the users of its services; and developing the right tools and IT to support its business". These all remain as areas where the Home Office needs to improve.

8.4 Another point, raised repeatedly by David Neal, relates to the resilience of the Home Office and its capacity to transition from an ad hoc 'crisis' response to embedded, well managed business-as-usual practices. The COVID-19 pandemic was one 'crisis' faced by the Home Office during the Specified Period, but there were others, including the sharp rise in the volume of small boat arrivals, the June 2021 announcement by Kent County Council that it would no longer accept statutory responsibility for newly arrived asylum-seeking children, and the February 2022 full-scale invasion of Ukraine. Faced with such challenges, the Home Office is able to deploy resources to the 'crisis' area rapidly, but this does not necessarily lead to effective, sustainable operational responses, and it comes at a cost to other business areas, storing up problems that may emerge as a new 'crisis' at a later date. Here, too, children and young people, like all other stakeholders, would benefit from improvements to the department's capacity to respond to external shocks and challenges. Clearly, such improvements would also better equip the Home Office to protect children and young people in the immigration and asylum system in the event of a future pandemic or other civil emergency.

8.5 The ICIBI is unable to offer a view on what could be done to address or mitigate the longer term impacts of the pandemic that are still being felt by children and young people in the immigration and asylum system today.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signed:

Personal Data

Dated: 25 June 2025