

Refugee Council

policy response



Refugee Council response to “Review of Border and Immigration Agency Statistics on Control of Immigration.”

20th February 2008

About the Refugee Council

The Refugee Council is the largest organisation in the UK working with asylum seekers and refugees. We give help and support to asylum seekers and refugees, and also work with them to ensure their needs and concerns are addressed by decision-makers. We are represented at Stakeholder meetings with the Borders and Immigration Agency (BIA) and currently jointly Chair the National Asylum Seekers Forum. In each of these fora the issue of statistics, and the limitations of what is currently published, has been a recurring theme. We welcome this opportunity to contribute to the proposed review.

1. Introduction

A review of BIA Statistics on “Control of Immigration” was announced in December 2007. The terms of reference of this review are to look at the current scope, level of detail and frequency of BIA published statistics, to consider the relationship between the published statistics and internal management information and make recommendations about future publication and the collection of data.

The Refugee Council is keen to identify ways in which the collection and publication of statistics can make the operations of the BIA more transparent. It is important that published data should be able to show not only that the Agency is meeting its objectives in relation to immigration control but also that it is managing a process of refugee status determination that fulfils the UK’s responsibilities in relation to the 1951 Refugee Convention.

The Refugee Council’s main concern about the review paper is the proposal to simplify the publication of statistics by reducing them more to a form of overall “headline” statistics which will provide a general picture. Reporting of headline figures is certainly valuable but it is crucial that this is underpinned by more detailed statistics that provide regular and systematic information about the operational detail of how various policies and procedures are being implemented. We would strongly oppose any reduction in the publication of detailed statistics and see no reason why both detail and headlines cannot be produced.

2. Concerns about current statistics

The current Asylum Statistics are very broad and lack sufficient detail to allow for an informed assessment of the functioning of processes. They present a very general overall picture based largely on outcomes of decisions. They are not broken down to show how cases progress through the various

routes to reach an outcome or how long the various procedures take. For example, it is not possible to assess how cases determined under the New Asylum Model (NAM) compare to those dealt with by the previous system, either in relation to times taken or in relation to outcomes. Nor within the NAM is it possible to compare cases processed through the detained fast track (DFT) with those which are dispersed.

Most significantly it is not possible to track cases through the various processes in order to make comparisons meaningful. We therefore welcome the view of the National Statistics Quality Review whose recommendation number five was "Considerably more cohort-based statistics should be produced. Where relevant, statistics showing cases dealt with and stages reached during a period should be presented as the appropriate marginal totals of tables of cohort statistics".¹

The Refugee Council strongly endorses this approach and would like to see it widely developed as a part of this review.

There is also a lack of regional data which is desirable for the purposes of comparison since so much has been devolved to the regional level. It is of little value to have figures aggregated over the whole of the UK when these may mask significant regional differences in the way that cases are dealt with.

3. The relationship between published statistics and management information:

We welcome the fact that this review will consider the relationship between published information and internal management information.

There is currently no clear policy on the relationship between the published statistics and management information that is either available to BIA or could be reasonably obtained on a regular basis and made available to third parties. We would like to see detailed management information made available in order to make the work of BIA transparent and accountable.

Two examples illustrate the impact of the current approach and the need for improvement:

a) New Asylum Model (NAM): some figures were briefly produced for the NAM Stakeholders meetings early in 2007 which did start to provide basic management information about progress on cases within the NAM. We could work out how many cases had been dealt with in a set period, what the outcomes were and, usefully, make regional comparisons. We were in the process of a constructive discussion about how what we were getting might be improved when the figures ceased to be available. We were told they could no longer be provided because of the controversy over figures about the removal of foreign prisoners. No figures could be released into the public domain unless they met the quality control criteria of the National Statistics. Thus figures specifically on the NAM ceased, and as a result we are not able to assess or scrutinise NAM adequately.

b) Immigration detention: one of the main concerns about the use of detention is that it is not subject to a time limit. One key measure of the use of this power is how long the detained population have been held and why. This information is not available. All we know is that a certain proportion of the people detained under immigration powers held in Removal Centres (not prisons or police cells) have at some time claimed asylum. The length of detention is a major concern due to the progressive negative impact on mental health likely to be caused by indefinite imprisonment. It was possible to see how long on average people had been detained until the fourth quarter of 2006 when these figures ceased to be

¹ National Statistics Quality Review On Command Paper "Control of Immigration Statistics: United Kingdom" Home Office August 2006 <http://www.homeoffice.gov.uk/rds/pdfs07/cpreview07.pdf> (accessed 15.2.08)

available, without any consultation or discussion. As a result, key information on an important issue is not available, and we are unable to scrutinise the use of detention.

There needs to be an agreement about how management information can be made available, that often will already exist or can be easily obtained, that is helpful to Stakeholders for showing how the Agency is operating and which does not have to meet the stringent quality control of National Statistics. These figures could be issued subject to caveats as to their provenance and would not be withdrawn without discussion with Stakeholders.

4. Key drivers

We comment here on the list of key drivers contained in the review.

A. Public accountability

The Refugee Council does have some concerns about the “wood from the trees” argument if a desire for “a wider range of ‘headline’ statistics” leads to less information and less transparency. The information currently provided is relatively “broad brush” and there is a danger that reporting can become little more than headlines. It is not necessarily the case that there is currently too much detail but rather that the detail provided is not the most useful that could be provided. It is extremely important, for example, that the rate at which asylum applications are being processed both nationally and regionally is monitored and with what outcomes. Similarly information about who gets detained, why, and for how long should be collected and disseminated. This level of detail, which is crucial for openness and accountability, is likely to be lost in the “headline statistics” approach.

B. Obligations to provide statistics to third parties

The Refugee Council welcomes the aim of properly positioning the agency's data within a wider framework. It is important that data is routinely collected and published that reflects the concerns and requests of Stakeholders.

C. Quality and focus of management information

The Refugee Council feels that the availability and publication of management information and how it feeds into the published statistics should be one of the key factors in informing this review. Provision of management information to Stakeholders should be developed in consultation and be responsive to need.

D. Production resources; E. Reputation; F. Business Risk; G. Benefit of being proactive

The refinement of management information into a format that can be disclosed to Stakeholders will largely mean sharing information that is already produced for internal use, and hence would not require additional cost. A commitment to work constructively with Stakeholders and produce data that responds to needs would also avoid the need for expensive one off exercises in response to Freedom of Information requests or parliamentary questions.

5. Regional and national statistics

There is a risk that as a result of the regionalisation of decision making and operations, differences in performance and practice will not be picked up if figures are aggregated and only published nationally. As far as statistics are intended to provide indicators of performance it is important that it is possible to compare and contrast performance in each region.

6. Interim Conclusions of internal review

With regard to the interim conclusions arising from the Agency's internal review we would make the following comments:

- Annual statistics giving a coherent account of performance: these would be welcome but need to reflect the ability of the Agency not only to control immigration but also to manage a fair and credible asylum determination process.
- Scope and frequency of sub annual releases/level of detail: the aim of producing headline statistics is of only limited value in that this cannot show the impact of policies and procedures in operational terms. It is this that is of interest to Stakeholders and is a key part of the Agency's accountability. If a way can be found for dialogue in relation to the development and release of management information then this clearly becomes less of an issue. One can then envisage a situation where there is an annual "headline" type publication based on more detailed quarterly management statistical returns which are more detailed and operational in the way suggested above.
- We agree that non asylum removals should be included in the overall picture.

7. Recommendations

There is an urgent need to improve on the range and relevance of current data that is produced. The Refugee Council recommends that:

- a) Statistics should allow for a cohort study of cases as they pass through the system to demonstrate comparative operational data and outcomes on decision making.
- b) Statistics should be produced at the regional as well as the national level in order to demonstrate comparative performance and outcomes.
- c) BIA should develop a protocol for the production and publication of management information that can be developed in dialogue with Stakeholders and which could appear quarterly and as Appendices to the main "headline" statistics.
- d) BIA should organise a workshop to identify ways in which more detailed management information might be made available to Stakeholders in addition to the the National Statistics.

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Richard Lumley
Protection Policy Team