

# Inspection report published: An inspection of Administrative Reviews (May – December 2019)

I understand that in responding to my reports the Home Office will always want to accentuate the positives. But, this can give the appearance of selective hearing.

It is true that the Home Office's handling of Administrative Reviews (ARs) has improved since I inspected it first in 2015 (when it was poor) and again in 2017 (when it was better but still required work). My latest report shows that ARs are now generally effective at identifying and correcting "objective" factual or process errors, albeit too slow to put things right in some cases.

However, the report also points to several areas where ARs are not working, including where the decision to refuse involved an assessment of the applicant's credibility, and at the border where individuals are being asked to waive their rights to an AR without appropriate oversight.

I have argued that, after almost five years, the Home Office should be thinking beyond merely tweaking its processes and should be asking whether the Administrative Review system has delivered the benefits, including for applicants, that it claimed it would during the passage of the Immigration Bill 2014, when the proposed removal of appeal rights was the subject of considerable concern in Parliament and elsewhere. If the answer is "no", or "not yet", it needs to take a more fundamental look at the scope of ARs and at what it is seeking to achieve through them.

The Home Office has said that it is conducting an evaluation, which it aims to complete by the "end of summer 2020". This needs to be comprehensive and transparent if it is to convince the department's doubters that it is willing to listen and learn; though the test goes much wider than ARs. However, some of its responses to this latest report suggest only a qualified acceptance of the need to be more open and more adaptable.

Before starting this inspection, I inspected the Home Office's handling of complaints. My report was sent to the Home Secretary on 4 July 2019 but remains unpublished, although I am aware that work is going on in the department on this subject. The two systems are distinct, but there are obvious cross-overs. To be of value, each has to be efficient and effective at providing remedies and redress, including an apology, where the Home Office is at fault. Both are opportunities for the Home Office to show its "human face", as it has tried to do in its handling of ARs in respect of EU Settlement Scheme decisions.

I hope that when it responds to my complaints handling report the Home Office is able to demonstrate clearly that it recognises the importance of these

systems to the rebuilding of trust in its intentions and its competence. In my view, the AR response does not quite manage this.