



House of Commons  
Constitutional Affairs  
Committee

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**Additional Government  
Response to the  
Second Report on  
Asylum and  
Immigration Appeals**

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**Fourth Special Report of Session 2003–04**

*Ordered by The House of Commons  
to be printed 14 October 2004*

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## The Constitutional Affairs Committee

The Constitutional Affairs Committee (previously the Committee on the Lord Chancellor's Department) is appointed by the House of Commons to examine the expenditure, administration and policy of the Department for Constitutional Affairs and associated public bodies.

### Current membership

Rt Hon Alan Beith MP (*Liberal Democrat, Berwick-upon-Tweed*) (Chairman)  
Peter Bottomley MP (*Conservative, Worthing West*)  
Mr James Clappison MP (*Conservative, Hertsmere*)  
Ross Cranston MP (*Labour, Dudley North*)  
Mrs Ann Cryer MP (*Labour, Keighley*)  
Mr Jim Cunningham MP (*Labour, Coventry South*)  
Mr Hilton Dawson MP (*Labour, Lancaster and Wyre*)  
Andrew Rosindell MP (*Conservative, Romford*)  
Mr Clive Soley MP (*Labour, Ealing, Acton and Shepherd's Bush*)  
Keith Vaz MP (*Labour, Leicester East*)  
Dr Alan Whitehead MP (*Labour, Southampton Test*)

### Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk)

### Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House.

All publications of the Committee (including press notices) are on the Internet at [www.parliament.uk/parliamentary\\_committees/conaffcom.cfm](http://www.parliament.uk/parliamentary_committees/conaffcom.cfm).

### Committee staff

The current staff of the Committee are Roger Phillips (Clerk), Dr John Gearson (Second Clerk), Richard Poureshagh (Committee Assistant), Alexander Horne (Legal Specialist), Julie Storey (Secretary), Tes Stranger (Senior Office Clerk) and Adèle Brown (Committee Media Officer).

### Contacts

Correspondence should be addressed to the Clerk of the Constitutional Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 8196 and the email address is [conaffcom@parliament.uk](mailto:conaffcom@parliament.uk)

Media enquiries can be addressed to Adèle Brown, Committee Media Officer, House of Commons, 7 Millbank, London SW1P 3JA. Telephone number 020 7219 0724 / 07711 155 722 and email address [brownac@parliament.uk](mailto:brownac@parliament.uk)

## Fourth Special Report

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1. The Constitutional Affairs Committee published its Second Report of Session 2003–04 on Asylum and Immigration Appeals on 2 March 2004, as HC 211–I. The Government response was published on 9 June 2004, as Cm 6236. The Chairman of the Committee wrote to the Lord Chancellor on 10 June 2004 requesting clarification of certain issues. The exchange of correspondence was published as the Committee’s Third Special Report of Session 2003–04 (HC 868) on 21 July 2004. Subsequently the Chairman of the Committee wrote a further letter to the Department about the issue of unique identification numbers for particular cases. This letter is printed as Appendix 1 to this Special Report. The Minister’s response to that letter is printed as Appendix 2.

2. We note the reasons cited by the Minister for not acting more swiftly in relation to setting up a system of unique identification numbers for individual cases. We find it hard to believe that with more effort the various departments involved could not set up a system using a unique identification number for each case. Although the information technology may not yet be in place to link up automatically the various different systems used, it should be possible for a single reference point to be established from which unique identification numbers for individual cases could be obtained by e-mail or telephone, so that a sequential list of such references could be constructed. These unique identification numbers would significantly assist in the scrutiny of individual cases.

3. It is the common experience of Members of Parliament when dealing with constituency cases relating to asylum and other matters where more than one Department is involved that it is very difficult to get proper coordination between officials. The delay caused by the muddle over which file relates to which case can materially affect the outcome in situations where there is a pressing need for someone to be allowed to come to the United Kingdom—for example, when a relative is gravely ill.

4. As the Minister points out in his reply, use of unique identification numbers is a long-term strategy. However, it should be possible also to have an interim solution. We will return to this issue in the near future when we take oral evidence from the Department.

# Appendices

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## Appendix 1

### **Letter from Rt Hon Alan Beith MP, Chairman of the Constitutional Affairs Committee to Mr David Lammy MP, Parliamentary Under-Secretary of State, Department for Constitutional Affairs**

Thank you for sending us your Response to our report on Asylum and Immigration Appeals, along with your supplementary Response, which we have now published as a Special Report.

One of the recommendations which we made in the Report related to the adoption of a universal file number for each applicant in asylum and immigration cases. Your response to our Report indicates that this matter is being kept under “continuous review”. You also say that “a longer-term solution towards the development of a single reference number is likely to be an expensive and complex exercise”. We note that you are “considering in more depth what the options might be for such a single reference number, particularly as part of the development of other initiatives such as the e-Borders programme”.

We are not sure quite what this means. This proposal is a matter about which the Select Committee feels very strongly. We would be grateful if you would send us a note about the precise action that you are taking to deal with this particular recommendation. We would like to know, for example, what options you have considered for a single reference number. We are particularly concerned about your suggestion that the development of a single reference number is likely to be an expensive and complex exercise. We would like to know why this is so.

I am aware that a lot of your staff will wish to be away for August, but would it be possible for you to send us a short note by the time the House resumes in September?

If necessary, the Committee will wish to take oral evidence on this subject.

*22 July 2004*

## Appendix 2

### **Letter from Mr David Lammy MP, Parliamentary Under-Secretary of State, Department for Constitutional Affairs to Rt Hon Alan Beith MP, Chairman of the Constitutional Affairs Committee**

Thank you for your letter of 22 July 2004 about the Committee's recommendation that a universal file number should be adopted for each applicant in asylum and immigration cases.

I understand the concerns that you have raised about the different reference numbers that are used in the immigration and asylum system depending on where an application originated. We have been working with the Home Office, UKVisas and the Immigration Appellate Authority (IAA) to look at the potential for introducing a single file reference number.

Although we agree that there is a case for introducing such a number—and clearly the customer service perspective provides the strongest justification—it is apparent that an integrated approach, relying solely on a single reference number, could only be a long term solution. IT systems are currently incompatible, and those systems would ideally need to be linked to generate the full benefits of a single reference. Furthermore, the disparate geographical location of individual posts makes it extremely difficult to develop a global sequential reference number that applies across a series of unlinked databases located in different departments and countries. As a result, the cost of introducing a single reference number would be high—and the risk of duplication significant.

In addition, there is no funding provision to introduce such a measure under the SR2004 settlement for Single Asylum Fund. Therefore, such a measure would need to be self funded through efficiency gains in process. Further work is required to assess the full cost and resulting cost benefit through introducing a single file reference.

It is too early to judge categorically how successful the work-arounds have been and will be in the future. But the early signs are positive, and I fully expect that we can continue to make progress. However, the situation will remain under review to ensure that a clear picture is maintained of where applicants and appellants experience difficulty, and to what extent we can realise a more integrated system based upon a single referencing system.

I hope this helps to clarify what we are doing to address this issue.

*6 September 2004*

# Formal minutes

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**Tuesday 12 October 2004**

Members present:

Mr A J Beith, in the Chair

Peter Bottomley

Mr James Clappison

Ross Cranston

Mr Clive Soley

Keith Vaz

Dr Alan Whitehead

The Committee deliberated.

Draft Special Report [Additional Government Response to the Second Report on Asylum and Immigration Appeals], proposed by the Chairman, brought up and read.

*Ordered*, That the Chairman's draft Special Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 4 read and agreed to.

*Resolved*, That the Report be the Fourth Special Report of the Committee to the House.

*Ordered*, That the Chairman do make the Report to the House.

Several papers were ordered to be appended to the Report.

*Ordered*, That the Appendices to the Report be reported to the House.

[Adjourned till Tuesday 19 October at 9.15am]

## Reports from the Constitutional Affairs Committee

The First, Second and Third Reports of Session 2002–03 were published by the Committee under its previous name, Committee on the Lord Chancellor's Department

### Session 2002–03

|               |  |                          |
|---------------|--|--------------------------|
| First Report  | Courts Bill<br><i>Government response</i>  | HC 526<br><i>Cm 5889</i> |
| Second Report | Judicial Appointments: lessons from the Scottish experience<br><i>No Government response expected</i>  | HC 902                   |
| Third Report  | Children and Family Court Advisory and Support Service (CAFCASS)<br><i>Government response</i>   | HC 614<br><i>Cm 6004</i> |
| Fourth Report | Immigration and Asylum: the Government's proposed changes to publicly funded immigration and asylum work<br><i>Government response (Second Special Report, Session 2003–4)</i> | HC 1171<br><i>HC 299</i> |

### Session 2003–04

|                       |  |                          |
|-----------------------|--|--------------------------|
| First Special Report  | Protection of a witness – privilege  | HC 210                   |
| First Report          | Judicial appointments and a Supreme Court (court of final appeal)<br><i>Government response</i>  | HC 48<br><i>Cm 6150</i>  |
| Second Special Report | Government Response to the Fourth Report on Immigration and Asylum: the Government's proposed changes to publicly funded immigration and asylum work | HC 299                   |
| Second Report         | Asylum and Immigration Appeals<br><i>Government response</i>   | HC 211<br><i>Cm 6236</i> |
| Third Report          | Work of the Committee 2003   | HC 410                   |
| Fourth Report         | Civil Legal Aid: adequacy of provision   | HC 391                   |
| Third Special Report  | Further Government Response to the Second Report on Asylum and Immigration Appeals   | HC 868                   |
| Fifth Report          | Draft Criminal Defence Service Bill  | HC 746                   |