

Director General for Regulation
Office for Statistics Regulation
1 Drummond Gate
London
SW1V 2QQ

Monday 27 March 2023

Dear Ed Humpherson,

I write to raise concerns about the Home Office's recent use of statistics and data, and to ask for your potential engagement around it.

There appears to be a concerning trend at the Home Office of claims being made based on operational data which is not published. There also appears to be a lack of transparency around the sources of some claims made in public debate. We note that this is despite the OSR having previously contacted the Home Office on at least four occasions in 2022 to express concern about their use of statistics and data.

Full Fact has in recent months published several fact checks on claims made by Ministers which relate to the Home Office's area of responsibility:

- We fact checked Priti Patel's claim in Parliament in September 2022 that over the summer the majority of arrivals in small boats from France, about 60%, were Albanian nationals.¹ The Home Office confirmed to Full Fact that the then Home Secretary had been referring to provisional operational data. We asked the Home Office to publish this data but this has not yet happened. After obtaining this data via a Freedom of Information request, we were able to establish that Ms Patel's claim was incorrect.² It is also important to note that this claim was repeated in the media.
- We fact checked Immigration Minister Robert Jenrick's unevidenced claim in Parliament in November 2022 about the percentage of adult men arriving at Western Jet Foil asylum processing centre and claiming to be under 18.³ The Home Office told us that this claim was based on provisional operational data, which has not been made public, so we are not able to establish if what Mr Jenrick said was accurate. We have asked the Home Office to publish

¹ <https://fullfact.org/immigration/home-office-albania-small-boat-crossing-60-percent/>

² https://fullfact.org/media/uploads/priti_patel_letter_small_boats_claim_12_2022.pdf

³ <https://fullfact.org/immigration/robert-jenrick-fifth-male-migrants-under-18/>

this data and we have also submitted a Freedom of Information request but we have still not received this.

- We fact checked Home Secretary Suella Braverman’s claim in Parliament this month that there are 100 million people around the world who could qualify for protection under our current laws, and are “coming here”.⁴ This figure is based on the UN High Commissioner for Refugees’ estimate of the global number of forcibly displaced people. The majority of these people remain in their own countries, and most refugees stay in neighbouring countries. It’s not clear how many of the 100 million would be granted asylum or other protection in the UK if they were to apply.
- We fact checked Prime Minister Rishi Sunak’s unevidenced claim made in Parliament this month that there are 6,000 fewer people in the caseload of the asylum backlog.⁵ The Home Office said it would not comment on the source of the 6,000 figure, or the claim that the backlog was falling. We have written to Mr Sunak to ask for the source of his claim but we have not yet received a response.
- We fact checked Home Secretary Suella Braverman’s unclear claim in Parliament this month about the asylum backlog.⁶ Ms Braverman said: “If we go down the path of comparing backlogs, the Labour party will be found wanting. The backlog with which we are dealing bears no comparison whatsoever with what the Labour party left us with in 2010.”. When we asked the Home Office about Ms Braverman’s comments, it denied that she had made any comparison between the size of the asylum backlog currently and when Labour left government, and said she had simply meant that it was not possible to make such a comparison. The asylum backlog is now many times larger than it was when Labour was last in office so it would be misleading to suggest the Labour party would be “found wanting” in a comparison of the size of the asylum backlog.

It seems as though there is a culture of Home Office Ministers [and in some of the earlier examples from last year the department’s official communication channels] using statistics or other data to bolster arguments made both inside and outside of Parliament without publishing, or in some cases even identifying, the source upon which a claim is based. This prevents us and others from being able to properly scrutinise, and if necessary challenge, these claims. The issue appears to be particularly acute with recent claims made by Ministers in relation to asylum and immigration policy.

The use of statistics by bodies such as government departments is governed by the Code of Practice for Statistics, one of the key principles of which is that statistics must be equally available to all, and

⁴ <https://fullfact.org/immigration/suella-braverman-100-million-claim/>

⁵ <https://fullfact.org/immigration/rishi-sunak-asylum-backlog/>

⁶ <https://fullfact.org/immigration/suella-braverman-asylum-backlog-labour/>

not be released partially or to selected audiences. The Code is also clear that it provides a framework that can apply to a much wider range of data than just official statistics. The Ministerial Code requires Ministers to be mindful of the Code of Practice of Statistics in their presentation of policy.

In addition, the OSR transparency guidance is clear that data supporting public statements should be published in advance or at the same time as the statement is made and, where unpublished data are referred to unexpectedly, the information should be published as soon as possible after any statement has been made.

We therefore ask that the OSR takes further action to ensure that the Home Office follows the Code of Practice and other relevant guidance on the transparent release and use of statistics and data.⁷

I should be very grateful if you could keep us informed of any steps you take in relation to this.

We have also written to the Home Office to raise the same issues detailed above and to ask that they address our concerns.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Will Moy", written over a horizontal line.

Will Moy.
Chief Executive, Full Fact

⁷<https://osr.statisticsauthority.gov.uk/publication/regulatory-guidance-for-the-transparent-release-and-use-of-statistics-and-data/#pid-when-data-are-quoted-publicly-they-should-be-published-in-an-accessible-form>