



Justice and Home Affairs Committee

Corrected oral evidence: Electronic border management systems

Tuesday 19 March 2024

10.30 am

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Members present: Lord Foster of Bath (The Chair); Lord Bach; Baroness Buscombe; Lord Dubs; Lord Filkin; Lord Henley; Lord McInnes of Kilwinning; Baroness Prashar; Lord Sandhurst; Lord Tope.

Evidence Session No. 5

Heard in Public

Questions 57 – 70

Witness

I: David Neal, Former Independent Chief Inspector of Borders and Immigration.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witness

David Neal.

Q57 **The Chair:** Good morning, everybody. Welcome to our fifth oral evidence session for our inquiry into two European electronic border systems that will be introduced, and the new UK ETA, which is already being implemented. We are delighted to have Mr Neal with us. Before we go any further, Mr Neal, would you be kind enough to introduce yourself?

David Neal: Until three weeks or so ago, I was the Independent Chief Inspector of Borders and Immigration. Prior to that, I was a military police officer for 26 years. I was the Army provost marshal, so I was in charge of the Royal Military Police.

Q58 **The Chair:** Thank you. I want to put it on record that, prior to Mr Neal being sacked, we had invited him to give evidence to this committee, and he had agreed to so do. It was in a very short period of time of accepting that he was sacked by the Home Office. We are very pleased that, in his now former role, he has still agreed to give evidence. Of course, he has been helped to do so by the fact that the Government have published 13 of the 15 reports that he had submitted, although two remain to be published, which we may come on to at a later stage.

Mr Neal, I will begin by raising the issue of Border Force with you. In the implementation of electronic border systems, clearly Border Force will have a key role to play. We are interested in your thoughts about Border Force. Do you agree, for instance, with Mr Alexander Downer, who told us at our previous session that the organisation is performing at suboptimal level? Do you think, therefore, that Border Force is capable of implementing the change that we are discussing?

David Neal: Certainly from my nearly three years of experience of monitoring Border Force I would absolutely agree with Alexander Downer that there is a clear need to reform it. I have said on record that my view is that the organisation is neither efficient nor effective, and even going to the now Prime Minister when he was standing for leader of the party, one of his 10 points in relation to immigration and asylum was fundamental reform of the Home Office and Border Force, so it is a given that there is a need for fundamental reform of the organisation. So there is a little bit of emperor's new clothes somewhere along the line here. I think it is well accepted that this is an area that needs reform, that something needs to be done about it.

I have said in a number of reports that a key issue for Border Force is that it needs to be led by leaders and not managed by civil servants. In my experience, a Border Force of 10,000 people needs to have recruited, trained and educated leaders to be able to deliver its functions. It needs to attract, educate, grow and retain the right workforce to be able to deliver what it needs to deliver. This is particularly relevant in terms of technology as we move forward.

If you wish, I can go into some detailed observations, perhaps across lines of development—using military lines of development, for example—to break down things that need attention in Border Force.

On training, there is a huge inconsistency in the level of courses across Border Force. There are hundreds of courses that are not necessarily assured or standardised, and that is problematic. There is an issue of professionalisation in relation to the training. The equipment programme, as you heard from Alexander Downer—it was certainly in his report—has issues with the obsolescence of equipment and through life management. It needs to be put on a military setting so that you are recruiting the right equipment and considering each of the lines of development and personnel. There is no point, for example, in recruiting an X-ray machine that is vehicle-mounted if the licence for the staff to drive that vehicle cannot be obtained or is very expensive to obtain, which we have encountered a number of times.

On the personnel line, the organisation needs to have an identity; it needs to be a tribe. To motivate people, you need to be part of a single organisation. You want to be proud of that organisation, which many people are, but it needs to be helped to do that more. In his report, Alexander Downer talked particularly about Heathrow and about issues in delivering the operation there, so there needs to be a standardisation of terms and conditions of service.

It also has to be properly responsive to what the modern border requires. In the last couple of years we have seen officers needing to be moved from different parts of the country to be able to deliver a response to small boats, for example. There is an absolute requirement that the terms and conditions of service and remuneration packages can keep up with that, so that people can do their job and respond to changing circumstances on the ground.

Intelligence is another area. At the moment, the intelligence is being merged with immigration enforcement. That is a good thing, but it needs to have the oomph, the analysts, the standardisation and the benchmarking to be able to do this effectively.

On doctrines and concepts, the Home Office and Border Force often identify lessons to be learned, but errors that they make are not necessarily built into a learning process and brought into a course so that those mistakes are not made in the future. All this needs to be done in a spirit of openness, which we sometimes do not encounter.

Organisationally, Border Force is structured across regions. The vast majority of its personnel are in regions, which makes it very difficult to be responsive to national matters, which means that regional commanders and directors can act as robber barons to a degree and not necessarily or want to give up resources to the prevailing priorities.

The final area is infrastructure, which is particularly relevant in relation to technology. Infrastructure at the border is often poor. It needs a real ability to work

alongside industry partners, to be open to suggestion, and to trying new things. It needs a very different approach, and I am not sure that Border Force is as far forward as other organisations are.

That all sounds terribly critical but, actually, the vast majority of people I have encountered on the ground are doing a good job. As an inspector, you do not want to confuse hard work with a failure to deliver. People are doing a good job, but if they are not delivering, that is important, and I put that down to leadership. Border Force, like all of us, should be striving for excellence, not for mediocrity.

The Chair: That is enormously helpful. You made the point right at the beginning that the current Prime Minister—at the time, he was campaigning to get the current role—had raised the issue of the urgent need for reform of the Home Office and Border Force. In your time in post, and in the subsequent three weeks, is there any evidence that anybody in the Home Office, or in No. 10, is making any moves to bring about any of the changes you have described?

David Neal: I cannot speak for No. 10, but within the Home Office, my assessment would be against Alexander Downer's points in particular: that the response has been pretty patchy, certainly to conditions of service at Heathrow, which was one of his recommendations. That is being addressed at the moment. However, there are other areas—perhaps we will get on to those in questioning—that have not been developed as well as you would have hoped. It is a question I have always asked. Downer's report was a really good report. Therefore, how are we doing against it? As someone who is also inspecting, it matters when it comes to what I inspect and what I predict in the future.

The Chair: Thank you.

Q59 **Lord Dubs:** Good morning, Mr Neal. My question relates to Alexander Downer's report. What is your view, insofar as you have not already dealt with them, of the recommendations in Alexander Downer's 2022 independent review of Border Force, especially those in relation to oversight and accountability? Furthermore, should the Director-General be accountable directly to Ministers?

David Neal: Thank you. One of the recommendations Alexander made in his report was for there to be a requirement for Border Force to have a distinct identity in the Home Office. That is really important. He talked about an advisory board, and that is tremendously important too. There is a real need to get the mechanics. I am no expert in government, but I can see that much flows from the organisational structure and the organisational decisions that he talked about. He talked about there being a commissioner, and the director-general of Border Force having his own title and responding directly to a particular Minister. We have no sight of that happening at all, but that would have a significant influence on the 10,000 people who work in the organisation, because they would then have a champion rather than a director-general who was just AN Other civil servant subordinate to the Permanent Secretary and the second Permanent Secretary.

There were definitely important things in his recommendations—in particular, the Border Force operating mandate that is effectively the orders from the Home Office to Border Force. From that mandate, everything else flows. Alexander Downer described it as a useful document, but I would go much further: it fundamentally underpins the work that Border Force does because what that translates to on the ground is Border Force focusing on queues, for example. I am not disputing that queues are important, but it means that it is focusing on queues to the exclusion of checking in the customs channels, for example. When we have conducted inspections and inspection activities have detected that the staff are not doing a particular task, it normally comes down to prioritisation. That prioritisation comes from Ministers.

The Border Force operating mandate is hugely important and ministerial accountability is important too. I have well documented some struggles I have had in communicating with Ministers. Border Force has a central role in protecting the country, so that Minister should probably be the Security Minister and not necessarily the Immigration Minister, the security of our border, which affects everyone, should be dealt with by the Security Minister. That opens up a whole series of other possibilities in relation to the activity of the National Crime Agency, which has a role in protecting our border alongside Border Force. There is a lot in this space, so I will finish here.

If the organisation does not want to change, it is really difficult to bring any change in this area. Who is agitating in this area now? There is no ICIBI to prick the conscience of the Home Office and bring its failures, and successes, to the attention of the public. It is a big issue, and Alexander Downer talked well about it in his report.

The Chair: Thank you.

Q60 **Baroness Buscombe:** Thank you for coming today. Can we perhaps have a slightly deeper dive now into the relationship between Border Force and the Home Office and how effective it is?

In papers I read, you talked about institutional culture in the Home Office, with Home Office policy people at odds with operational people. I am struck by what you have just said: that we should have a Security Minister—I am sure we used to have a Security Minister—rather than it being the role of the Immigration Minister because it is a security issue, particularly with the development of electronic systems border management. That is an incredibly critical and broader role than, dare I say it, standard immigration, gathering intelligence, patrolling the UK coastline, and so on. How does it all link up? Is Whale Island, where they are doing Border Force work, linking in and sharing intelligence with the Home Office? Do they all work together or not?

David Neal: There are real efforts for them to all work together. There is a Security Minister, but Border Force does not necessarily report into them. Given who

secures the border, how the border is secured and where ministerial responsibility is, I suggest that it is a security issue, so it should be with the Security Minister.

Baroness Buscombe: Thank you for that clarity.

David Neal: You are absolutely right. There is some good evidence of cross-departmental working; we call it jointery in the military. I saw that one of your previous witnesses talked about how Border Force delivers joint operating—I cannot remember the exact term he used—with the police, the National Crime Agency, and with other agencies. That is hugely important. However, it is underpinned by something that is fundamental to where Border Force is, which is that Border Force, in my assessment, needs to be a law enforcement agency not a Civil Service agency.

There is nothing wrong with the Civil Service as a whole. The Civil Service is a venerable organisation with some exceptionally talented people in it, but it is not the best at delivery. The vast majority of Border Force officers are doing delivery on the ground, and it needs to have a law enforcement identity. Coming from the military police, we often struggled with civilian colleagues, for example, because there was a suspicion as to whether we were up to it, whether we were benchmarked against national standards and things like that. Border Force encounters that all the time with other agencies. We have covered it recently in reports, but there is a suspicion about as to whether their vetting is appropriate, whether they are speaking the same language, whether they have the pedigree—many individuals do—and whether an individual has come up through law enforcement or the Civil Service.

So law enforcement into Civil Service is key. There is no investigation or prosecution function for Border Force. That was removed a number of years ago. So when an individual, who is coming in at the bottom of the system and who is motivated to be a—small “a”—aggressive investigator or inspector, is searching for something, they want to do that in order to protect the country and ultimately to secure a conviction. But that is not necessarily there, because they will have to hand that over to another agency. That is important.

Again, the relationship between Border Force and the Home Office is one of a culture of defensiveness that has grown around the Home Office, and Border Force to a certain degree, which means that you are not necessarily getting under the skin of what is actually going on.

Baroness Buscombe: Do you think some of that friction is because of the reality that the civil servants in the Home Office do not have the skills and expertise and therefore tend to be defensive when it comes to managing these ever more technical issues and complexities in what it is that we are facing, and have faced, in the security of our borders?

David Neal: I think you are absolutely right and have put your finger on one of the key issues. I can go on a site inspection and come to a view based on 26 years of

experience in the military. I can then write a report to the Home Secretary to tell him what is happening on the ground. I am a chartered security professional and have had lots of training and education to get that qualification.

That is not necessarily the case elsewhere. What you find in Border Force and the Home Office is that when there is a short-notice inspection, for example, a report on a very small evidence base is somehow less valid than a lengthy inspection. You do not need a lengthy inspection at Heathrow Airport to tell you that people are not using radios and that that is a problem. The public will not be deceived by that; they can see it. But in the Civil Service or the Home Office's make-up, so often that is seen as an insufficient evidence base.

Even more than that, the eGates report, which we may go on to, has been criticised for just being a snapshot in time. It is a snapshot of three separate locations around the country—Stansted, Luton and Heathrow—so how much evidence base do you need? When you have a long evidence base—a six-month inspection, for example—and that report is sometimes not released on time, the response is that your evidence is out of date and old hat.

There is a real issue about assurance in the Home Office. It is really important that you use professionals so that you can identify what is going wrong, and right.

Q61 Baroness Buscombe: It sounds to me like it is uphill in treacle. What about the turnover of personnel at the Home Office? I know that a lot of civil servants expect to have a promotion every six months, certainly where I have been a Minister. Is that the case? Have you found it to be one of the problems, or not?

David Neal: It is a problem that I have encountered in the Home Office for senior managers. I am not sure that it is necessarily an issue in Border Force. Actually, you find people who stay there for a significant period of time, which is a good thing, but it is only good if they are educated, trained and brought on within a structure.

In some of the more effective areas of border response—in Small Boats Operational Command, for example—they have tended to bring in people from a reasonably high level in the military to be able to deliver that operational service. That is great, but you will never sustain and grow an organisation if you keep bringing people in at the top. You need to be able to grow people from the bottom of the same cloth, in the same way the military and the police would do. Alexander Downer mentions that in his report as well.

Q62 Lord Tope: We will move on now to the eGates report, which signalled several issues. What are the key issues you identified that this committee should be aware of when thinking about the UK border strategy 2025 and, in particular, the introduction of the ETA?

David Neal: The 2025 UK border strategy was published in December 2020, which was just before I arrived. It was one of the key documents I looked at in order to understand how we would conduct our programme. For what it is worth, I think it is a really good document. It is a cross-governmental document produced by some

very clever people who set out some really good ambitions for the direction of travel for the border. So in that sense it is a really good document.

It paints a digital future, an automated future, in relation to passengers, which is what we are talking about for ETA, when actually the workforce that I am describing is analogue and is not necessarily equipped to provide the digital answer to mitigate some of the risks. That is what we found in the reports. In fact, you could go further than saying that it is analogue and say that the workforce is actually agricultural. So digital with an agricultural workforce is clearly unsatisfactory.

In the first and second eGates reports, we found some quite prosaic and in-depth examples of an inefficient or ineffective service. In the first report we found monitoring officers who ideally, as best practice, should be monitoring their screens for 30 minutes, and in extremis for 60 minutes, but who were monitoring them for three hours. The statutory inspector wrote in the report that we should get after this and close it down as an issue. We go back again and the same thing is happening. That is a real assurance issue. Why is it a problem when you have so much technology in the world? If your mitigations to close down issues of people smuggling or people being compelled through the border are insufficient and are not being delivered, it is all to naught.

The first inspection report covered what I suspected when it comes to roving officers: that they were not being used in the appropriate way. For every 10 eGates, you need at least two roving officers to be out there in front of the gates looking at the behaviour of people and using behavioural technology and detection techniques to identify whether people are being smuggled or compelled through the border. Nowhere were those people being deployed in groups of two for 10 or more. Again, that is not a fancy technological issue. It is an issue of grip, control, structures, and doing simple things and bread-and-butter things well, but it is not being done well. So the strategy can have all the ambition it wants, but if the people mitigations are not in place, it will always make the border vulnerable.

Lord Tope: Thank you. I must say that I was struck by the example you used and that I heard in your podcast of the roving officers shouting or blowing whistles because they are not issued with radios. I do not know whether radios are still considered the height of technology, but I would have thought it was fairly basic. What reason was given for that?

David Neal: I do not recall actually asking them. We were rather agog in the same way you were. I am not sure that people were using whistles to communicate. The point is that they did not have the simple radio communications to communicate between them.

Lord Tope: That is so basic. I was asking the question and expecting to hear about a higher level of things in the move into the digital world, and here we are talking about radios, which are not the height of technology.

David Neal: I agree. That is why inspection reports that find simple things can often be easily dismissed and brushed to one side as being somehow a tactical matter. Sometimes there is a view in the Home Office that those are mud pies at the bottom. It is very much, “My dear chap, we should really be studying strategy”. I have taught strategy at the staff college. We know all about strategy, but it does not get you away from needing to be in the absolute guts and the detail of what is going on. Rather like your point, it is indefensible; no member of the public would expect people to be cutting around the place not using radios. Everyone has one. The bin men have them round our way.

Q63 Lord Tope: I entirely agree with you about the importance of basics there. I will not use the word strategic, but what are the higher-level issues that we should be pressing on in response to the report?

David Neal: You should be pressing on the points about fast parcels. In the report, the principal observation relates to the Border Force operating mandate. The specifics of fast parcels and tactical matters are one thing, but the natural consequences of the Border Force operating mandate for the protection of the border—for example, prioritising queues over goods—are that you are not as effective at intercepting fast parcels.

Going back to Lord Dubs’ organisational point, there needs to be operational independence for Border Force and a different structure in the Home Office in order that it can deliver the security functions. Otherwise, there will be insufficient money to have radios, or we will be procuring X-ray machines that are soon obsolete. It needs to be done across all the lines of development.

Q64 Lord Sandhurst: You have told us about what I call the practicalities—radios and everything else—and you have talked about the lack of proper career progression. As I understand your evidence—tell me if I have misunderstood it—your fundamental point is about the whole structure and status of Border Force. You would like to see it operating rather like a constabulary, with someone like a chief constable at the top, or a general Army officer, brigadier, major general, or whoever, at the top, reporting directly to the Security Minister, with a proper career progression within, and you can then get on with the rest.

David Neal: Absolutely. You need to empower the organisation. At the moment, it is not empowered. You need to trust the people. I passionately believe that they are good people, but they need to be led.

Lord Sandhurst: So you want someone at the top. We will call him the chief constable or, for the moment, the director-general; it does not matter what his or her name is. He or she would have the budget and set operational standards every year and say what equipment was needed—obviously, people would help him or her—with a line up, so that you would join as a very junior person or in the middle and see that you could progress up to sergeant, lieutenant, major, or whatever the ranks are in the police force. Is that how you would see it?

David Neal: My background would say that that is what I would be looking for, but equally that works and has worked over hundreds of years. On my first visit, we were at Harwich, it was raining, and I saw a group of people moving from the hot portakabin to demonstrate the search of a container. To be able to move that group of people from A to B does not come naturally; you have to recruit and train, and someone has to be in charge.

Q65 **Lord Sandhurst:** You referred to prosecutorial functions being removed. Presumably there was a reason for that. Do you know what that was? What was thought to be the philosophy for that? Did it clutter them up and take up too much time?

David Neal: It was at the time of the Serious Organised Crime Agency, so that area of business—prosecutions—was taken over by HMRC, and the National Crime Agency took over the bigger stuff.

Lord Sandhurst: Was that depending on whether it is a smuggling-type operation or criminal?

David Neal: Yes. Hopefully you get my point that, at the bottom of the organisation, you need to feel that you have that investigative baton in your knapsack for every bit of activity that you do, and you are all joined in a golden thread ultimately to the prosecution of the bad people at the end.

Lord Sandhurst: We cannot sort that today, but would you like to see the prosecutorial relationship looked at again? One can see why big things should be passed over to specialist agencies because of the link with everything going outside the Border Force territory.

David Neal: Absolutely, but it is more fundamental than that. I would like to see an understanding of who secures the border. The NCA has a role to play, but the border is much bigger than it ever was. It is not just the White Cliffs of Dover, is it? It is fast parcels coming into the UK, freeports and cyber. Those are all border matters, and they all need to be brokered with as few seams as possible between organisations.

Lord Sandhurst: So would your preference be to have the DG Border Force responsible overall but working on that aspect with the NCA, for example, or customs in something else?

David Neal: Yes, and that is going on at the moment.

Lord Sandhurst: Then you would have one man or woman accountable.

David Neal: Yes, which is where we have seen issues.

Lord Sandhurst: You might have to pay more, but you would get a proper structure.

David Neal: Paying more is not necessarily a bad thing.

Q66 **Lord Sandhurst:** Moving on to an important sub-issue, there has been a

disagreement between you and the Home Office about private jet passengers. You were critical of London City Airport in particular and said that there had been dangerous failings in security checks, and that data provided by the Home Office showed that Border Force had failed to check the passports and so on of people landing on private jets. The Home Office rejected that and said that you were made aware of a specific issue that the recording of data at London City Airport had meant that people had been misclassified as high risk.

What is your response? Are they half right or all right? What do you see now as the full picture on private jets?

David Neal: I have had three communications from either the Home Office or the Cabinet Office on not talking about reports that have not been published. That report will be published in good time. However, I stand by what I said in the *Daily Mail* article, which is that the legislation requires me to identify border security failings. If I have not been able to communicate those failings to the Home Office—to senior officials, to the director-general of Border Force or to Ministers—it leaves you with very few angles to go at.

Lord Sandhurst: If London City Airport is misclassifying the data, is that not a problem?

David Neal: It may well come out that some of the data was misclassified, but that is a problem if the data has not been classified in itself.

Lord Sandhurst: Yes.

David Neal: The bread and butter of any risk assessment process has to be based on appropriate data and held at the appropriate level. When the report comes out, I am quite sure that we will be able to comment on some of those areas.

The Chair: I understand that Mr Neal is placed in a difficult position in relation to that particular report, because it has not been published.

Lord Sandhurst: I understand that. My point was one of principle.

The Chair: Exactly.

Lord Sandhurst: If it is misclassified, which is what the Home Office has said so it is in the public domain, the fact of misclassification creates other difficulties.

The Chair: That is very helpful. Mr Neal, perhaps you could confirm that your understanding is that that report be published in the quite near future.

David Neal: I believe the Home Office is going for the eight-week point, so around 15 April, so it will be published in the near future.

The Chair: So within the time of finalising our report, when we might ask you some further follow-up questions on that particular issue.

Q67 **Baroness Prashar:** Good morning, Mr Neal. I understand that it will take about six to

nine months before you are replaced. What do you think are the security implications for the Home Office in the absence of an independent chief inspector of border and immigration?

David Neal: There are five main areas. First, no media was attached to the 13 reports that were dumped the other week, so there was no voice speaking up about them. There are still two further reports to go, so the function of informing the public of those reports cannot be done.

Secondly, the ongoing inspections, all of which are significant but some of which are particularly significant—for example, the inspection into contingency asylum accommodation—should be complete by now, but no interpretation or forward publicity has been able to be done on it.

Thirdly, the Rwanda country information report that was subject to Supreme Court scrutiny has been done but not published. That is a particular problem. The ECHR Article 3 judicial review has now been conceded by the Government, because there is no independent chief inspector to carry that on, so there will now be a public inquiry.

Fourthly, and perhaps most worryingly, it means that the remainder of the 2023-24 programme will not be launched. So none of the key activities—the third small boats inspection, adults at risk in immigration detention, age assessments—will be scrutinised. Perhaps most importantly, this week the new material for Rwanda will be without scrutiny. It has been suggested to me, although I have not seen the evidence, that perhaps that is why I was not reappointed: because it was too risky to reappoint someone who can have oversight of that material. I have not seen the evidence, so I do not know, but that has been put to me in the past. So there are two bits on Rwanda that cannot be inspected and be subject to scrutiny.

Finally, and very relevant to this committee perhaps for the future, the chief inspector will not be appointed, so their experience will not be able to inform next year's programme. One area is general aviation, coming from the City Airport business, which is a dangerous risk to security. We should probably be dealing with that, and there is no one in place to be able to do it. Again, we would launch an intelligence inspection next year, which would be important. We had planned a joint inspection with HMICFRS into organised immigration crimes, breaking down those barriers and looking across boundaries.

There is a whole host of things, but perhaps the most pressing this week are the two Rwanda points.

Baroness Prashar: As you say, that is quite a serious gap in terms of public opinion and information, which leaves us exposed in some ways.

David Neal: It does. Some of it is routine, but some of it is particularly not routine. An NAO report into asylum accommodation coming out tomorrow will deal with the cost. My report, which is all complete, would deal with the real detail of what is happening on the ground, and that would be particularly complementary to that

NAO report. It is about scrutiny and oversight. I have the UK Borders Act 2007 with me, and it is quite clear what it says. We are avoiding the scrutiny that Parliament intended.

Baroness Prashar: Do you have any idea what the Home Office's view is on this? Did it calculate the risks? Has it done anything to mitigate the risks?

David Neal: I do not know. I assume that the current Home Secretary, whose intention was for me to be reappointed, wanted me in place to be able to do some of the things I have just described to you here. But it would appear that has been turned down by No. 10, for whatever reason.

Q68 **Baroness Prashar:** For the purpose of our inquiry, should anything in particular be of concern to the committee on electronic border control?

David Neal: The general points I have made about the state of Border Force and education are important. There is always a point about data quality. The *Guardian* reported last week that something like 76,000 files had been corrupted. Anything using technology needs to have a fallback position that can be done by personnel. The rush to have things automated is good, but not if the data quality is poor, and I have said before that the data is poor in the Home Office.

Fundamentally, automation of the border and pushing out decisions on the border to an arm's length are positive and sensible things to do. If that means a quicker passage of people, that is sensible, but decisions have to be made about whether personnel are being deskilled, for example. Tony Smith gave evidence and talked about the skill of reading a passport. We need to understand what that will look like in the future in a technological solution. The people line—in other words, the Border Force staff who are looking at behavioural detection and closing down and mitigating some of the risks for technology—is weak and needs to be stronger. That is fundamentally why the whole organisation needs to be looked at.

Finally, there needs to be some form of redundancy for the technology, because it will break. Technology breaks. What are the reversionary modes, and are they still up to speed and capable of doing what needs to be done to secure the border?

Q69 **The Chair:** You have specifically made the point that the absence of a chief inspector means that quite a lot of work was ongoing that will not be completed, and that Parliament and the Home Office will therefore not benefit from the information contained in it. The Rwanda Bill is of particular interest to members of this committee and the whole of the House of Lords at the moment. You have commented on the issue of Rwanda. What collectively are we missing as a result of your sacking at this point in relation to the Rwanda issue?

David Neal: The sacking point is slightly separate from the non-reappointment point. If we park the sacking point, the decision not to reappoint would have left us in exactly the same position, so there is something more fundamental than just the sacking.

Section 48(2)(j) of the UK Borders Act 2007, which I remembered because it is really important, states: “In particular, the chief inspector”—there is no chief inspector—“shall consider and make recommendations about 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”.

That “information” is information about the conditions in Rwanda, for example, and there is no one coming up who is able to scrutinise that. That is a problem. As I have said throughout the past few weeks, I have obeyed the law and done what the UK Borders Act 2007 wants us to do, which is crucial to oversight and to public confidence. If it is not going on, that is a problem.

Q70 Lord Filkin: My question has already largely been asked, but let me focus on one specific aspect of it, which is essentially the question about security rather than queue management or public convenience. Will or could the introduction of ETA make us safer? We are particularly interested in—but have not had much evidence on—the back question about how much confidence we have in the databases in foreign countries of potentially risky people. Who makes that judgment about whether country A’s database is reliable enough to allow them to have ETA, as opposed to being required to go through a full visa scheme? Did you look at issues like that? They are at the heart of the question about whether it will make us secure or not.

David Neal: I do not know the answer to the latter part of your question. To the more fundamental point about whether it could make us safer, absolutely it could. It removes human error, for example, which is one of the biggest discrepancies, so that has to be a positive thing. But I cannot comment on who gives the tick on whether the appropriate thing is going on at the other end.

Lord Filkin: It could make us safer. What do we need to do to ensure that it does make us safer?

David Neal: Strengthen the people line in the organisation that is supporting the technology.

Lord Filkin: So the same answer. It goes back to the personnel management and the leader.

David Neal: Absolutely.

The Chair: I am sorry, Mr Neal, but time has caught up with us. A huge thank to you for coming before us. Just for the record, there will be a write-out of the details of the conversation we just had. If you want to make any corrections or provide any further information, we would be very pleased to receive it. We may contact you about one or two issues to get further clarification or information on before we end our inquiry. I hope you will not mind. On behalf of the entire committee, a huge thank you for coming. We really appreciate your time.