



## Justice and Home Affairs Committee

### Corrected oral evidence: Electronic border management systems

Tuesday 26 March 2024

10.35 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 Meacher; Baroness Prashar; Lord Sandhurst; Lord Tope.

Evidence Session No. 7

Heard in Public

Questions 86 - 98

#### Witnesses

**I:** Tom Pursglove MP, Minister of State for Legal Migration and the Border, Home Office; Philippa Rouse, Migration and Citizenship Director, and SRO, Future Border and Immigration System Programme, Home Office; Simon Bond, Senior Director, Border Transformation, Border Force, and SRO, Future Border and Immigration System Programme, Home Office.

#### USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on [www.parliamentlive.tv](http://www.parliamentlive.tv).

## Examination of witnesses

Witnesses: Tom Pursglove MP, Philippa Rouse and Simon Bond.

**Q86 The Chair:** Good morning, everybody. We are now in session. The meeting is being recorded for our public proceedings of our seventh investigative session inquiring into the introduction of the ETA and the European ETIAS and EES schemes. We are delighted to have with us the Minister. Thank you very much indeed for being with us. We notice you have a number of your officials. Just for the record, would you be kind enough to introduce yourself and your ministerial responsibilities, and then ask your colleagues to introduce themselves?

**Tom Pursglove MP:** I am the Minister for Legal Migration and the Border at the Home Office.

**Philippa Rouse:** I am a director at the Home Office. One of my roles is senior responsible officer for the future border and immigration system programme.

**Simon Bond:** I am also a director in the Home Office and, alongside Philippa, SRO for the future border and immigration system programme.

**The Chair:** Thank you very much indeed. Just before we begin on the questions you were expecting, you will be well aware this committee carried out a small inquiry into the Life in the UK Test. We know that, in various exchanges that took place between the then Minister and the former Chair of this committee back in August of last year, Mr Foster wrote that the Government and the Home Office intended “to set out our broader plans to reform nationality in the next 12 months. The timetable for the review of the Life in the UK handbook will need to take into account current contractual timescales and resource considerations around delivery of much broader nationality reforms”. Given that it was said it was all going to happen by August, can you just bring us up to speed as to where we are?

**Tom Pursglove MP:** I know the committee has taken a real interest in the Life in the UK Test previously. We keep under review the appropriateness of the questions and make sure that things are kept up to date as society moves on and as we see developments. What I am able to say for the committee is that our intention is to publish a road map about the way forward later this year.

I note the committee’s desire to see that work happen. I too am very keen to see us come forward with that, because it is right that we have a root and branch review to look at the methods by which this is carried out and whether they reflect some of the opportunities that technology and the like now bring. We will come forward later in the year with a road map for the way ahead on that.

**The Chair:** Sorry, can I just be clear? From what you have just suggested, it implies that the work on this has not begun.

**Tom Pursglove MP:** Work is ongoing within the department in relation to developing that road map, which we will publish as soon as we are able.

**The Chair:** The “road map” implies a series of stages you are going to go through in the future. Presumably, work on looking at the questions, refining them and so on is already well under way.

**Tom Pursglove MP:** We periodically review some of the content of the test. That is almost a separate workstream. What is still to come is that road map about the more substantive future and the vision that the Government have in relation to the test. We will publish the road map for that later this year. The work that sits behind that road map is ongoing.

**The Chair:** It is only later this year we are going to hear about the likely timescale for when you might actually complete some work.

**Tom Pursglove MP:** I note your desire to see this come forward and I will reflect upon that point in terms of the timeliness with which we come forward with that road map.

**The Chair:** I am grateful for that. We will probably pursue that after this meeting through correspondence. I do not want to delay our time looking at these really important issues we are currently considering, so I turn to Lord Sandhurst.

Q87 **Lord Sandhurst:** Minister Pursglove, I am going to ask you a timing question as well. The Home Office policy paper updated in October last year announced that the electronic travel authorisation scheme will be fully in place by the end of this year, 2024. The witness from Eurostar told us that his understanding was that there were two cohorts to be introduced, one this coming autumn and one next year—2025. Heathrow told us that it understood it could be the end of 2024, but it did not have a firm date. Your written evidence, which we got yesterday, has said, “We have decided to roll out the ETA scheme incrementally, on a nationality-by-nationality basis”.

It would be very helpful to know what the plans are. What are your proposals? What is the timeline? Do we not owe it to the carriers and those in our ports to know what they are planning for?

**Tom Pursglove MP:** You will appreciate that obviously we need to lay Immigration Rules in order to bring forward those phases. We will do that in the usual way. The Government’s position on this is that there are two tranches still to come. There will be one in the autumn and there will be one very early on in the new year. We have taken this work forward in a careful, managed, incremental way. That test and learn approach is the right way of delivering this change. There are enormous border security benefits that flow from the ETA regime in understanding far more about those who are travelling to our country and knowing that up stream.

The early feedback has been very positive around the experience of ETAs with those first two rollouts. We are testing and learning. I will come forward with some more concrete dates, but carriers should most definitely be alive to the fact that there will be those two future tranches, and my understanding is that they are alive to it, in

the way you have set out. There will be a rest of the world tranche, and there will be a tranche that reflects the EU, the EEA and Swiss nationals.

**Lord Sandhurst:** What will the order be? Will it be the rest of the world first and the EU second?

**Tom Pursglove MP:** That is my intention.

**Lord Sandhurst:** The rest of the world is in autumn. The EU is early next year.

**Tom Pursglove MP:** Yes.

**Lord Sandhurst:** That is helpful, but it is rather more certain than what the witnesses, who are senior people from these organisations, understood only a week or two ago.

**Tom Pursglove MP:** As I say, I am very keen to come forward with concrete dates around that as soon as I am able to.

Q88 **Lord Tope:** Thank you, Minister. Can you tell us what your current understanding is of the timescale for the two EU schemes and how they will fit in?

**Tom Pursglove MP:** That is a very good question. We are working as the UK Government on the basis of an October implementation of EES. We would anticipate ETIAS coming on stream probably around six months later. The European Commission has not actually given concrete dates in public yet. My understanding around this is that, in a few months' time, following the summer, it is likely to give a definitive go or no-go decision and say what that looks like in terms of dates. The committee can be assured that that is not preventing us as the UK Government working across Whitehall to make sure that our preparedness is where it needs to be, ahead of an implementation date of EES in the autumn, in October.

**Lord Tope:** Are you having ongoing discussions with the EU, particularly France and Belgium, to stay up to date with all this?

**Tom Pursglove MP:** I am, most definitely, I have met with a number of EU ambassadors since I came into the role in December. Further engagement is in the pipeline with my counterparts, but I am also working very closely with Minister Opperman in the DfT. The Prime Minister, the Home Secretary, the Foreign Secretary and I have all been raising this issue with respective representatives of EU member states, including the French President. We will continue to sustain that engagement, because it is in everybody's interests to ensure that the rollout of EES and then ETIAS is as we would want it to be.

We entirely recognise, not least because it matches our own ambitions around trying to improve border security, the advantages to the countries that are rolling out EES. It matches some of the ambitions that we have around our own border. We will continue to work through this constructively, but very much working to that October date.

**Lord Tope:** A number of our witnesses have stressed to us very strongly how important it is from their point of view that the EU introductions do not coincide with the introduction of ETA, which they find would be virtually unmanageable. Can you confirm that it will not coincide with ETA, whenever these things happen?

**Tom Pursglove MP:** We are working to the timetable that I described in answer to the earlier question. That remains our delivery position, but we will be mindful of the facts. I am very mindful, particularly on the communication side.

**Lord Tope:** They want a bit more than mindfulness. They would like the assurance simply from a management point of view that to bring in all three at the same time would be difficult.

**Tom Pursglove MP:** It is a lot of change, both at our domestic border but also in terms of those changes internationally. We need to work through that carefully. We are committed to align our comms as far as is possible with EU member states and with the European Union to try to make sure that there is limited scope for misunderstanding about the nature of the changes, what is required of people and what that looks like in practice. We will continue to sustain that work.

We believe very strongly that the benefits of ETA are important for our national security, in understanding more about those individuals who are coming to our country and knowing more about them up stream, so that we can screen border security risks far earlier and prevent people reaching our border in the first place. I would argue that there is an imperative that we get on and deliver that project. Of course, we should do that in a way that is collaborative and constructive.

**Lord Tope:** Obviously, I do not speak for them, but I do not think they are arguing against it. They are totally supportive. It is just the management of the schemes coming at the same time that they are worried about.

**Tom Pursglove MP:** Yes, and that is why it is important that we work through that collaboratively. You will appreciate that the ETA scheme is one that people do away from the border prior to their travel, whereas the EES, for example, is something that people will do at the border. There are quite significant distinctions. ETIAS is obviously a different process again. In terms of the rollout of the ETA scheme and the rollout of EES later this year, there are distinct differences in approach in terms of how people go about doing those things. That speaks to why getting the communications aligned as far as is possible is really important.

**The Chair:** I know that Baroness Prashar wants to pursue that, but just as a slight side issue, in all the preparatory work for ETIAS and EES, as we have heard, there is clearly involvement from our port authorities, Eurostar at this end, and so on. When we asked the various people concerned with that about who was actually paying for all of this, for introducing the EU schemes, we were told categorically that it was paid for by St Pancras and so on. Have you any indication of what the introduction of the EU schemes, ETIAS and EES, has cost the UK?

**Tom Pursglove MP:** I do not have a definitive figure on that at the moment. It is probably fair to say that, since you took that evidence, the conversations have been evolving with operators. For example, the UK Government are providing some financial support around the kiosk provision. I can speak to this, bearing in mind it is the Home Office that is doing this. That is to increase the number of kiosks available within those terminals to try to mitigate some of the challenges around this.

We want to work constructively with the operators. I was at St Pancras last week. I am very encouraged by the work that it is doing in a preparatory sense to introduce and install some of that technology early, and to test it, to make sure that people understand precisely what they need to do when they arrive.

Regardless of the go-live decision that the EU makes—as I say, we are working on the basis of an October introduction—we are getting our ducks in a line as the UK Government and doing everything that we can to work through the challenges that individual operators have, recognising that, while there are things that they need to do as businesses, there are things that we can do to try to mitigate some of those pressures. Those conversations around how the Government can play their part are evolving presently. As I say, we have made decisions around supporting kiosk infrastructure and increasing the number of kiosks that are available to try to help people to flow through the system.

I am also appearing with Minister Opperman before the European Scrutiny Committee in the House of Commons at the start of May. I would expect that at that meeting we will be able to say a little more about how those conversations have developed over the coming weeks.

**The Chair:** Would it be possible for you, not now but in writing following this meeting, to give us some details about the additional funds that the Government have now made available, which they were not anticipating having to make, together with what you have discovered from the operators as to what cost they have had to bear for the introduction of EES and ETIAS?

**Tom Pursglove MP:** I am really happy to take that ask away. There are some of those that are now effectively agreed and that we will get on and do. There are some conversations that are ongoing, involving not just the Home Office but other departments in government, which are live conversations that I could not give you a definitive answer to at this point. It is important for transparency purposes that we come forward.

**The Chair:** The nature of those conversations brings me directly to Baroness Prashar, who will perhaps pick that up.

Q89 **Baroness Prashar:** Minister, as the Chairman has indicated, my question is about communication of these changes about travel. What role is the Home Office playing in communicating these changes, particularly in the Schengen zone countries?

**Tom Pursglove MP:** From our perspective, we have commenced our communications work. There is a piece of cross-government work ongoing to

develop a comprehensive comms strategy to promote these changes to the public. Obviously, when you consider EES and ETIAS, they are not our schemes; they are the European Union's schemes. The EU has an important comms role to play as well in terms of communicating what its ambitions are and what that means for travellers going to the European Union. That does not negate the fact that as a UK Government we must also play our part.

There will be additional process that people need to go through in order to travel to the European Union in future. We want to make sure that we aid that understanding among travellers. You can expect to see a drumbeat of comms around EES rollout over the coming months. We very much want to align that with the European Union's communications. Those conversations are ongoing at official level. I have no doubt they will feature in the conversations that we have ministerially with our counterparts too.

At Eurostar last week when I visited, I was pleased with the preparedness and the work that was going on, but also the thought that was being given to communications. Again, I want us to align the work we do with operators to make sure it is very clear what that change looks like, and what those additional processes are that people will need to go through, so that, when we rattle around to go-live on EES, it is not a surprise to anybody that there is this additional process that they need to factor in time to be able to do.

**Baroness Prashar:** You said that you are working across government on a strategy on this. Which other government departments are involved, and can you tell us in a little more detail about what the strategy is?

**Tom Pursglove MP:** A big part of that falls within the remit of the Department for Transport, bearing in mind its very specific roles with the port operators. Also in recent weeks, we have had very constructive cross-government work with some Cabinet Office-organised sprints looking at various aspects of this, on which I have really appreciated the input of Cabinet Office colleagues and officials.

This is a cross-government effort. This is not one where there are just Home Office equities. There are DfT equities. There are aspects of this that the Treasury has an interest in, for the reasons that the Chair touched on around infrastructure and how we as a Government can approach this in partnership to try to mitigate some of those challenges and ensure that our readiness is where we would want it to be. That is a flavour of that debate and that work that is ongoing. That has been very valuable. It has moved a lot of the conversations on over the last few weeks.

One of the big pieces of work now that we need to focus on is how we engage with our European counterparts around precautionary measures. There are those flexibilities that the Commission has made clear will be available to member states in partnership with it. We want to explore what that looks like because, as I have said, there is no benefit to anybody of this rollout not being successful. We recognise the advantages to EU border security of delivering this change. It is not dissimilar to the work we are trying to deliver at our domestic border.

We want this to be a success. We want this to have a minimal impact on travellers, so we are moving into a phase of engagement around what precautionary measures could look like, where they might be invoked and what role our EU partners see for them in the early stages of the rollout of EES in particular.

**Baroness Prashar:** The flexibility could lead to confusion. What steps are you taking to ensure that that does not happen? This is essentially about communication, because we were told that communication is going to be a critical part of all this.

**Tom Pursglove MP:** It is, and it will be. You can only deal with the situation as it is. The position at the moment is that we are working towards an October implementation of EES. There are those flexibilities for precautionary measures to be rolled out and put in place in order to respond to particular challenges on any given day. We need to understand more about where the EU, the Commission and member states see that fitting within the overall picture.

Our comms most definitely needs to align, to make sure that we are giving a consistent message to travellers. You are absolutely right to raise that. It is very high on my risk register of things that we need to get right around this, which is why I am pleased that the sprints have helped to bring people together. We in the Home Office are leading on that communications effort, but that is interfacing very much with our domestic partners in government, with our domestic partners in the industry, to which this is very relevant and applicable, but also with the Commission and EU member states to ensure that we are speaking in a consistent manner on this. That is really important.

**The Chair:** Just picking up the phrase you used about the importance of the communications at EU and UK level working together to give a consistent message to travellers, presumably that applies equally to the preparation for the introduction of the ETA; in other words, the protection of our own borders as opposed to the EU borders. Can we just be assured that the same combined comms operation is taking place in regard to ETA?

**Tom Pursglove MP:** It is, most definitely. I do not know whether colleagues would want to say a little more about the engagement that they are doing with industry on that. It is really important. This is why I have stressed it during our conversations internally with cross-government partners. I have raised it in all the meetings that we have had about this. It is so critical that the communications that we are putting out there in relation to EES also take proper account of the very significant change that we are seeing in the round in relation to our domestic border but also those changes internationally, because there is a lot of change all at once, as Members here have alluded to.

I want us to really focus on ensuring that passengers, those going out from the United Kingdom or those coming to the United Kingdom, fully understand what EES, ETA, e-visas and ETIAS mean for them. Those are all important projects, some of them for HMG and some of them for our partners. We need all of them to succeed.



That is a constant theme in the conversations that I am having: making sure that when we talk about EES we are also overlaying the ETA rollout.

The fact that we opted for an incremental rollout has been hugely helpful in developing the learning. It has been very well received, particularly by the Gulf states. You will recognise that also came with a change from going from visa national to non-visa national, so a very substantial change for the Gulf states. It really has helped us to understand and refine how we communicate this. The early feedback has been very good and very positive, but we can always learn more in terms of how we communicate these things. I would love the committee to be really assured of the fact that we are not looking at any of these changes in isolation and that we are doing this holistically.

**The Chair:** Does either of your colleagues want to very quickly pick anything up?

**Philippa Rouse:** Perhaps I could come in and give you a flavour of the engagement and communications we have done in the first phase of the rollout. As the Minister highlighted, one reason for taking a phased approach is to allow us to learn and to understand the effectiveness of different channels. We have worked with the FCDO on using its local channels to get messaging out. We have worked with the Gulf states, both the ambassadors in the UK and the Governments in those particular countries, to get our messages out. We are working closely with organisations such as VisitBritain, so that people, when they plan trips to the UK, understand what they need to do.

We do a lot of direct engagement. Of course, the airlines are going to be absolutely key in this, so we have been working with them, helping them get the messages out. Then there is our own social media. We have a whole set of products, such as partner packs, so that they have information they can just share directly through their channels and websites. We produced multimedia videos that set out very simply why we are introducing ETAs, but also step people through the process that they will need to go through to apply for one and then what to expect at the border.

It is a very broad package. We are reflecting on what we have learned from the Gulf rollout. That will feed into our plans for the autumn and early next year when we roll out to everyone else.

**The Chair:** That is very helpful. We would be very grateful if you could provide a summary of the various things that you have done, just so we have an aide-memoire. I know we want to continue this in a slightly different vein, so I turn to Baroness Meacher.

Q90 **Baroness Meacher:** Minister, earlier on, in response to another question, you referred to conversations you have had with the French and Belgian Governments. I just wonder what other EU national Governments you have already had discussions with. I know you have all sorts of plans for communication, but I just wonder where you have got to with the individual EU Governments on EES in particular.

**Tom Pursglove MP:** On EES, the Prime Minister, the Home Secretary and the Foreign Secretary have all been raising that with EU leaders. I know that this has been raised specifically with the French President. I have also engaged with the French ambassador around this. I have not yet had an engagement with the Belgians, but, as I say, both Minister Opperman and I are very conscious that there are some significant shared equities here. The Home Office is obviously the lead department on EES, but there is very substantial DfT involvement in this as well. Working with the FCDO, we are standing up a very thorough programme of engagement over the coming months.

There will be engagement at our ministerial level, but also at a much more senior level within government, far above my pay grade. Members of the Cabinet, the Prime Minister and the Foreign Secretary also have this very high on their agenda for their international engagements. Conversations have been had and more conversations will most definitely be had.

**Baroness Meacher:** It is just that we do not have a huge amount of time until October, when this rolls out in the EU. It had seemed that most of the conversations were going to be in the future, not already under way, but it seems some conversations are under way.

**Tom Pursglove MP:** We have undoubtedly landed a lot of the points that we would want to raise, but have also been responsive to some of the feedback around readiness. That is reflected in the work that we have taken forward in the most recent weeks around support from government, for example, for the kiosks. There are some conversations that are live and ongoing, and which I cannot comment upon, about other things that we could do as the UK Government.

There is a two-way flow of conversation about this, which has been very welcome and constructive. I have used that word a lot, but there is a really genuine effort here to be constructive, to work through these challenges. There is good engagement being had, but we most definitely need to sustain it and up the ante.

**Baroness Meacher:** Can you say a little more about the engagement you have had with the EU itself about the EES introduction?

**Tom Pursglove MP:** There have been quite a lot of conversations, most definitely at an official level, with the Commission about this. I know, for example, that the Prime Minister raised this with Ursula von der Leyen in recent times as well. So, ministerially, this has been raised. It is also something that we continue to raise very proactively at an official level. We will sustain that drumbeat of engagement. There is a bit of time still to pass for the EU to make definitive decisions about its go-live date, but we have to prepare on the basis of the earliest possible implementation of this, which is October.

I just want the committee to be assured that, in terms of my ministerial responsibilities, this is right up there as a priority. It is certainly very high priority for

Minister Opperman as well. Working together, we are looking forward to that engagement over the coming weeks.

Q91 **Baroness Meacher:** I was going to ask you about any concerns within the EU about the viability of a remote application for the EES, but you suggested that, unlike ETA, EES will be dealt with at the border. Are you suggesting there is not a remote application for EES at all? It is all done at the border.

**Tom Pursglove MP:** At the outset it will be at the border. For example, at St Pancras they are putting in various terminals that people can go along to and will input the information. They think that it will take about 90 seconds to input the information that is requested, but there will be support. It was actually very useful to go along and see some of the facilities for myself. The work is ongoing. There will be a physical presence for people to be able to get any help that they need to do that. It is a process whereby you are inputting that information electronically at that terminal. In the early iterations, it is undoubtedly the case that that will be a manual process at the border.

**Baroness Meacher:** This is the EES you are talking about.

**Tom Pursglove MP:** Yes, this is EES. There is a huge role to play for technology. We are pressing for that digital app to try to mitigate those challenges. The more of this that can be done up stream, the better. My understanding of it is that there is an effort going on to develop that technology to help with this process. We will be emphasising within our engagements that we would really like to see energy and focus around that to help alleviate some of these pressures.

**Baroness Meacher:** Presumably, you made some effort at estimating the delays that are going to occur before that technology is developed, while it remains a manual process at the border.

**Tom Pursglove MP:** This is why it is important that we get the comms right, so that people know what they have to do and allow time to do that. It is also why having the conversations over the coming weeks and months about precautionary measures is important in relation to this, so that it can be responsive and so that, if there are particular pressures on any given day, those can be worked through in a way that is practical and allows our ports to operate as efficiently as we would want them to.

The position is not yet defined in terms of where the EU and EU member states have definitively landed on the role for those precautionary measures and in which circumstances they might be applied. From a readiness perspective, that is high on our agenda of things that we really want to do.

**The Chair:** Would it be true to say that, if the EU had got its act together over EES and developed the mobile app, which many people have argued is perfectly possible to do, there would have been significant savings, for example at St Pancras?

**Tom Pursglove MP:** The digital app would be very helpful in allowing people to provide much of that information earlier in the process.

**The Chair:** Given the introduction of that, many of the desks that are now being installed for the manual and somewhat dangerous procedure taking place, not least at the ports with cars moving around and so on, would have been avoided.

**Tom Pursglove MP:** If you take, for example, the situation at Eurostar, they are putting in a greater number of kiosks than they expect that they will need in the fullness of time, partly because there are conversations ongoing around trying to ensure that there is a technological solution in place for some of this.

**The Chair:** You are just repeating what we know. My question to you is a simple one: if the EU had got its act together and introduced the app, or delayed the introduction of EES until it had got the app sorted out, would that have led to significant financial savings for the UK Government and for the operators?

**Tom Pursglove MP:** As I say, there is not a definitive decision yet as to whether it goes live with this in October. I am sure that these are the sorts of points that the EU will reflect on as it reaches its collective position around go-live. For the UK Government's part, we think technology has a really important role to play. It would be very advantageous if there were to be that technological solution with an app at the point of go-live. That is unlikely, though, if there is an October implementation.

**The Chair:** We are all on the same side. We are both in agreement, in the committee and your department, that if this had been sorted out it would have definitely been advantageous. Are you actually saying to the EU, "Why don't you delay until you have this technology sorted out properly and we can actually save some money, thank you very much?"

**Tom Pursglove MP:** Those are perfectly legitimate conversations for us to have with our counterparts on both fronts.

**The Chair:** Why have you not had them to date? We have known about this. In our report two years ago, we drew attention at that point to the need to have mobile technology to deal with these problems.

**Tom Pursglove MP:** I came to this role in December. My understanding is that we have consistently been raising the need for technological solutions. We will continue to press that point. We will continue to press for the pragmatic application of precautionary measures. We will also, of course, raise wider matters around the sequencing of implementation to try to give opportunities for those sorts of technologies to be available. We have to work on the basis of it going live in October and not having that app at that point in time.

**The Chair:** We can pick it up. Thank you very much, Lady Meacher, for raising this. Another area where we have some lack of understanding and concern is the common travel area.

**Q92 Lord McInnes of Kilwinning:** Thank you, Minister, for coming and seeing us today. As the Chair mentioned, we just want to clarify our understanding of the effect of ETA on the common travel area. Am I right in saying that, if a non-visa national arrives in the Republic of Ireland on holiday and enters the United Kingdom, either Northern Ireland or GB directly, they should have an ETA to do so?

**Tom Pursglove MP:** Correct.

**Lord McInnes of Kilwinning:** If they do not, they are committing a criminal offence.

**Tom Pursglove MP:** Correct.

**Lord McInnes of Kilwinning:** But there is no border to check that they have an ETA, either a land border going into Northern Ireland or passport control in GB if they fly into GB.

**Tom Pursglove MP:** We are upholding the Good Friday agreement. We are not introducing routine immigration controls at the land border.

**Lord McInnes of Kilwinning:** I know from the written evidence that the Home Office has allowed residents of the Republic of Ireland an exemption from needing an ETA. Inevitably, there is concern in Northern Ireland especially that day trippers who are on holiday in the Republic of Ireland may well be put off from visiting Northern Ireland if they think they have to go through another stage of bureaucracy.

To what degree will you be having continuing conversations with the Republic of Ireland following implementation? Also, now that we have democratic institutions working again in Northern Ireland, what continuing engagement will the Home Office have to see whether there is a significant impact on the Northern Ireland tourist economy from the need for an ETA for people from the South?

**Tom Pursglove MP:** In relation to another matter within my portfolio, I had some engagement, along with a number of colleagues, with the Deputy First Minister. I have said that I am very keen to meet with her. I have no doubt, when we have that meeting, that this is one of the areas that she will want to discuss. You are right to say that third-country nationals who are legally resident in Ireland are exempted from the ETA requirements. The position is that we will require travellers to the island of Ireland to have the ETA in place if they want to visit Northern Ireland.

There are very strong border security arguments as to why that is the right approach, not least because, as you say, individuals who do not have that permission would be committing a criminal offence. Fundamentally, we also want to prevent and have that earlier screening. There is an opportunity here to prevent individuals who we would not want to arrive at our border in the first place from arriving here. There are advantages there that sit at the forefront of why we have made the policy decision that we have in relation to this.

There has been and will continue to be very extensive engagement with Northern Irish tourist outfits. There has been very comprehensive engagement with the Irish

Government in relation to this as well and most definitely with the Northern Ireland Executive. That is something that I will want to sustain. The communication side of this is critical to help travellers understand what those requirements are, while ensuring that this process is as light touch as possible to try to ease that as well, because I recognise that this is a change. The fact that individuals who would be coming here without an ETA would be committing a criminal offence is significant. It is important. Overall, within its totality, that aids the UK's border security.

**Lord McInnes of Kilwinning:** Monitoring without border control is difficult. Are there softer means by which you would expect that people arriving in the Republic and going into the UK would be monitored, so that you can find out that 70% of people are applying for an ETA, even though it is not being checked? Are there ideas of how you could monitor that situation?

**Tom Pursglove MP:** I do not know whether, from an operational point of view, Simon might want to add something on that.

**Simon Bond:** As you say, Minister, we will not be introducing routine immigration checks, so we will not have that route. We are in discussion as to what we might do with carriers and the information they may provide to us. Those are discussions at this point.

**Lord Dubs:** Minister, the Irish are pretty concerned that the typical tourist who goes to Ireland wants to go to the North as well. Unless there is some way of telling them, they cannot get an ETA if they arrive in Ireland to go north and they will be committing a criminal offence if they go across a non-existent border. This is really not a very satisfactory position. How are you going to enforce this?

**Tom Pursglove MP:** The issue that I have with taking a different approach to this and to creating an exemption is the fact that it just blows a hole in the whole concept of trying to have that more enhanced border security. We want to prevent individuals arriving at the UK border in the first place and to understand more about people who are making those journeys. As a Government, we have been pragmatic in we have managed to agree in terms of the earlier exemption with those resident in Ireland who are third-country nationals. That is the sensible approach that we have taken there.

We will keep these policies under review. The fundamental concept that we are trying to uphold here is important. I would not want to undermine that. The key place that we should put our energy is communicating what this change means for travellers and understanding what those requirements are. There is not a particular cost burden associated with the ETA product. It is light touch. It has a lot of merits. We need to uphold those merits, but, where we can make that process as easy as possible for people and communicate what people need to do, that is where our energy should be.

**Baroness Buscombe:** Minister, do we have a loophole here in terms of tax? If I decide to go offshore and either live in the EU or become resident in Ireland, can I

come back and forth via Dublin without having my papers checked?

**Tom Pursglove MP:** From a tax perspective, I would need to go and raise that.

**Baroness Buscombe:** This is quite important, is it not?

**Tom Pursglove MP:** If there is a tax loophole, that is, of course, serious and something I am sure that Ministers would want to reflect upon, including in other parts of government. It has not come across my desk to date, but I will very happily go away and look into that specific issue following you having raised it.

**The Chair:** Given our shortage of time, we will take you on your word and we look forward to getting a note on the issue.

**Lord Sandhurst:** Just following this up, if I am of villainous intent but apparently outwardly quite clean, and I arrive in the Irish Republic and then I just hop on a plane to London, I will not necessarily have an ETA, will I? I may be committing a criminal offence, but how are your lot and the security people going to know that I have done this?

**Simon Bond:** That is certainly a challenge. As the Minister says, the overall intent is to understand as much as possible about everyone coming to the UK in order to move all those checks up stream. As the CTA is now for visa nationals, the reality is that you have to get your visa and you have to get your ETA.

**Lord Sandhurst:** If I am on a wicked mission for Mr Putin, carrying dangerous poisons, that would be my route in, would not it?

**Lord McInnes of Kilwinning:** Very quickly, as we play this game of trying to work out how different people could get in, because of the common travel area and the Republic of Ireland not joining Schengen at the time other EU countries did, is the solution to this a more joined-up ETA-like process with the Republic of Ireland? When someone entered the bubble, we would have joint communications to ensure that both the Republic of Ireland and the UK were content that those people had given the information necessary. Is that the long-term solution?

**Philippa Rouse:** Clearly, we cannot talk for the Government of Ireland, but we meet them very regularly to talk about the common travel area, the security around it and some of the issues that you are raising here. This is an issue that happens at the moment. In effect, by the introduction of the ETAs, we are not changing the rules, we are just ensuring that we have even more information about the majority of people before they come to the UK. It is probably a step too far to commit to a joint ETA with Ireland, but the overall security of the CTA and the CTA border is something that we talk about regularly with the Irish and, of course, the Crown dependencies.

**The Chair:** Minister, you and your colleagues will be aware from the questions that we have some continuing concerns about this. You may be aware, or perhaps not, that this has been debated on the Floor of the House of Lords on a number of

occasions in recent times. The Government's response to various amendments that were moved in relation to this issue was not very convincing to the majority of us who have either listened in or subsequently read *Hansard*.

**Tom Pursglove MP:** I would just say that, regardless of any of that, overall, this improves the intelligence picture. It prevents more people coming to our border in the first place who we would not want to make that travel, and there are those offences that are available in the event that people are not compliant.

**The Chair:** All of that is true, but the point that has been made is that somebody who is intent to find a way around the system has just found one.

**Tom Pursglove MP:** I would want to go away and study that. That has been raised.

**The Chair:** That is why we have raised the questions with you. We look forward to your studying and then subsequently contacting us with great interest.

I just remind my colleagues, as well as the Minister and his team, that time is relatively tight. Can we speed up a little bit, with Lord Dubs asking a snappy but also difficult question?

Q93 **Lord Dubs:** This is about Jersey, really. We have had representations from the Government of Jersey. It is to do with the ETA being dependent upon people having passports. What about people travelling from France who would normally use their ID cards? Is there any way of making the ETA compatible with ID cards and not just with passports?

**Tom Pursglove MP:** We are continuing to work through that issue with Jersey. There are conversations ongoing. There is one thing I would say in relation to ID cards. This comes up in operational conversations that I have with Border Force officers when I am out and about on the visits that I do in this role. Historically, identity cards were one of the most abused forms of documentation presented at the border. That is something that we have to be very mindful of in relation to this. That is genuinely a piece of feedback that I hear very often. The move away from that has been hugely helpful in terms of the operation of the border and managing those risks.

We will continue to sustain that engagement with Jersey. I do not want to diminish the higher levels of security that the move away from the use of identity cards has brought about and the operational benefits of that, but we will continue have those conversations around these specific challenges in good faith. That is the difficulty that we face in that regard.

**The Chair:** These are ongoing conversations and sustained engagement for something that is going to be introduced in the very early part of 2025. Should we not have moved to finding a solution by now?



**Tom Pursglove MP:** My officials are in constant contact with Jersey on this matter. I cannot add any more than that which I have already said. I do not know whether you have any more to say on that.

**The Chair:** That is fine. We hear what you say. You have raised on a number of occasions, quite rightly and understandably, the fact that the introduction of these measures is about improving our security. We are very supportive of that. I want to move, if I can, to a series of questions on different aspects in relation to security, beginning with Baroness Buscombe.

Q94 **Baroness Buscombe:** Thank you, Minister, for being here. You said at the beginning that there are enormous benefits in terms of security up stream with ETA. We have also just now heard the word “intent”. How does it work in terms of absolutely understanding people’s intent when they come in, when it is digitised? I will just quickly quote Tony Smith CBE, who was here giving evidence recently, the former director-general at UK Border Force. He said, “call me old-fashioned, but I am still a Border Force officer at heart ... I have yet to see any technologies that can assess intent”. You might look good; you might sound good, but how do we really know? Can we just touch on that first, please?

**Tom Pursglove MP:** I am very fond of Tony, I have to say. I always take note of what he says. The broad sketch is that this will check against criminality, security and immigration databases. That will be the automated part of that process. There is also an element of manual processing where it is required. For example, in the event of a refusal, there will be human input into that. In relation to complex cases, there will be human input into that, because we want to get the decisions right when it comes to the issuing of ETAs.

Overall, this will be applicable to 30 million travellers a year. It is a really substantial number that we are working with on this. It is really helping to improve our visibility, preventing people travelling to the UK border in the first place, as I have said a few times now. This is a permission to travel. It is not a permission to cross the UK border. That is an important distinction. I give you that assurance that there will also be those manual processes sitting around this. I expect that we will continue to build the technological capacity to improve the system and iterate it. Again, that is why we have gone for the measured rollout of this in the first instance, to incrementally deliver ETA. That gets to the heart of the point that you were raising.

**Simon Bond:** As the Minister says, this is a permission to travel, not a permission to enter. A Border Force officer, if they feel there is a likelihood of risk, will still be able to question and get into that point of intent at the border that you are raising. This does not give you the right to cross the border. It gives you the right to travel to the UK.

**Baroness Buscombe:** It is really important, because we know that our borders are not safe enough at the moment and we want to make them safer. Against which databases will passengers actually be checked? Can we just quickly run through

those databases to make sure that we are absolutely clear which ones?

**Tom Pursglove MP:** There are the three baskets I have set out.

**Simon Bond:** Without going into operational detail, which we would not here, as the Minister says, they are datasets primarily around security, immigration and criminality that will give us a combined view as to whether we want to allow someone to travel to the UK.

**Baroness Buscombe:** They are linked with, for example, the National Crime Agency. One thing we have been learning through taking evidence is the importance of being joined up with all the different agencies. We do not want to lose that through technology.

**Simon Bond:** Our datasets are contributed by a number of our security partners, including the National Crime Agency.

**The Chair:** Can I just be clear about the answer you gave? You are not willing to make public the list of databases against which applications are checked?

**Simon Bond:** We would not routinely discuss that level of detail about exactly which systems and which databases are checked, but, as the Minister says, it covers those types of data.

**Lord Filkin:** Could I just ask you, Minister, or your official whether the databases we are talking about are effectively the databases held by countries where the person is coming into the UK? Is that correct?

**Tom Pursglove MP:** These are our domestic databases.

**Lord Filkin:** If we want to identify whether somebody from Colombia, in the example we tend to use, is coming here, we ask the Colombians, effectively, to tell us what they know about this person's criminality, immigration status or security risks. We are reliant on the Colombians' databases. Is that correct?

**Simon Bond:** No, as the Minister says, the datasets we check are UK-owned datasets. The data in them is contributed to by all our partners. If we have a concern about a particular individual, from wherever they may be coming, they will be added into from our own datasets.

**Lord Filkin:** There is no process of asking the country from which the person is coming what it knows about that person? The searches are totally within our own domestic databases.

**Simon Bond:** Our checks are against our own domestic datasets, yes.

**The Chair:** Just to pursue this so we are a bit clearer, if I make an application from a non-visa country for an ETA, I am asked, first, "Have you committed a criminal offence?" and then secondly, "Did it have a 12-month or more sentence?" I write "No". How do you know whether I am lying if you do not check with the database of

the country from which I am coming? Everybody would just put no; they did not; they are all wonderful. You are not checking any of it. That cannot be true.

**Tom Pursglove MP:** As Simon has said, the checks are against our domestic databases, but there will be, for example, opportunities within that for issues that have been raised with us by Governments overseas to be incorporated within that check against that domestic database. I also just go back to the point that this is not a permission to cross the border. This is a permission to travel. There are still opportunities on arrival in the UK for Border Force intervention at the border, at the point at which someone has arrived and is seeking to cross the border.

**Lord Filkin:** You have clarified what we did not know before: that the check is against what are domestically held databases with information presumably provided by the country they came from. I am sure that you are going to say to us you cannot provide some of this information on security grounds. These are questions that we may think should be pursued by the security committee. It is absolutely fundamental to the security of the system you are talking about, is it not, whether the country from which the person is applying has good databases of records of its own citizens, which it shares with us and which are up to date. Unless those three things are done, we have a highly complex system built on extremely weak foundations. Would you agree?

**Tom Pursglove MP:** No, I would not, actually. There are processes, without going into minutiae and granularity here, whereby there is intelligence sharing between Governments for all the right and proper reasons that you would recognise. Actually, this is a very significant enhancement, because through this approach we will see 30 million people annually being checked against those databases who currently are not. This is a huge uplift.

**Lord Filkin:** It is not scanning the 30 million we are worried about. It is trying to find the X per cent of people who are at risk. We are scanning 30 million, bravo, but it is whether you are able to actually find the risky people that is the question. Just scanning 30 million does not mean you have touched the risky people unless you have access to their risk profiles from the country of origin.

**Tom Pursglove MP:** I would argue that this is allowing us to do that far more effectively. It is adding an additional layer of check on those travellers.

**Lord Filkin:** That is good, but we are interested in knowing how.

**Tom Pursglove MP:** It may well be that these are matters that other committees want to probe in other settings.

**Lord Filkin:** Can you tell us how? Just highlight how this is going to improve the ability to find the small X per cent of people of risk.

**Tom Pursglove MP:** It will allow decisions to be taken to prevent those individuals travelling to the UK border in the first place, having checked against the security,

criminality and immigration databases. To me, that is an enhancement to our border security.

**Lord Filkin:** It is if those checks are up to date, valid and accurate.

**Baroness Buscombe:** To clarify, I am thinking of the Colombian warlord. We have some living here now—I cannot understand how on earth. Your databases may be domestic, but presumably they are fed into by a lot of international organisations, Interpol or whatever, so that we know a bit more about these people from these different countries.

**Simon Bond:** Interpol is one of the datasets we check. As the Minister said, it is inappropriate to go into more detail on that here.

Q95 **Lord Bach:** This is really looking at it from the other end of the telescope. I am going to read you a bit of written evidence that we have received. These are facts that you know. In 2018, which was the last year figures are available for, 20.4 million non-EU foreigners entered the UK, and 122 million EU nationals entered the UK, making a total of 142 million entries. In 2022, 30,000, which is the figure you used a few minutes ago, in a slightly different context, were refused entry into the UK at the border.

With that background, given that it is expected there will be larger volumes of applications made as a result of the introduction of ETA, can we as a committee and as a country have the confidence that security standards are not lowered to deal with the expected increased volume with respect to ETAs or visas? Is there a danger that the whole system will become so confined, slow—and perhaps chaotic from time to time in terms of applications—that in order to cope with that there will be some lowering of security standards, rather than the increase that you are claiming for ETA?

**Tom Pursglove MP:** This is increasing the tools we have to improve our border security. It is a positive thing and will have a positive effect in terms of the mission that you are highlighting, because this is ensuring that additional numbers of travellers to the UK through a light-touch, low-cost, but impactful process are providing that information up front, which means that we can carry out screening of travellers in advance of travel and prevent people coming to the UK who we would not want to even arrive at our border. That can only be a good thing.

**Lord Bach:** It is obviously a good thing if they do not come to the country at all, but is that really the only justification for this? You seem to have some success already with security, as well as some failures, but that is the nature of how things work. I am fairly new to the committee, so I may not have picked up everything. Is the real argument for ETA that all this happens before they come to the country? Is there anything more to it than that?

**Tom Pursglove MP:** It is a light-touch approach that also plays into our ambition to automate the border for legitimate passengers. For people where there is no concern, which is the vast majority of travellers who come here, we want to

automate the border more, but we also want to screen out security risks to our country. This will help us to do that up stream and earlier. That is where the benefit really lies with this.

I remember when we were doing the legislation for this in the Nationality and Borders Act. I know there were a lot of views from different sides of Parliament as to that legislation, but one thing I thought was a real positive that we could all rally around was the ETA changes, not least because we are all rather accustomed to travelling to other countries and fulfilling something very similar. When you think about travelling to the United States, which I have had the privilege to do a number of times over the years in a number of ways, you complete an ESTA. It is very straightforward, very light touch, fulfilling similar objectives to ours.

In a way, it is a shame we were not doing this earlier because of all those benefits that we have touched on. I am really pleased that this Government are doing this. It will help us to meet those border security objectives, which, understandably, have to be the first priority of any Government to keep people in this country safe. This is a tool that will help us do that.

**Lord Bach:** Can I ask something else? There is no redress against an ETA refusal, as I understand it. The travellers are invited to apply for a standard visitor's visa if they are refused. That costs a bit of money and the maximum stay is six months. Official information tells us that applicants will get a decision within three weeks. Is that really true? Is it three weeks to make a decision on an issue like that, or is it, in fact, a much longer process?

**Tom Pursglove MP:** I will let operational colleagues come in, but there are advantages to that being the route of redress for anybody with concerns about a decision. Again, I make that point that there would always have been human input in deciding a refusal. It would not be just an automated process deciding that a refusal should be issued to someone. There is that check and balance there.

**Lord Bach:** What is the human factor in this?

**Tom Pursglove MP:** An official will have a proper look at that and make a decision as to whether that is the appropriate outcome on that case. There is that check and balance at the outset. In the event that they have failed that ETA test, it is sensible for the route of redress to be to make a visitor application, because that allows a more thoroughgoing consideration of that person's circumstances and their application, in order to then reach a conclusion. There may well be factors that the ETA test has not taken into account and that are relevant to a particular decision on any given case, so that consideration is allowed for through the visitor visa process. Again, I do not know whether there is any kind of insight.

**Philippa Rouse:** You have covered it, Minister.

**Lord Bach:** What about the three weeks?

**Philippa Rouse:** Is it too long or too short?

**Lord Bach:** Is it realistic? Is three weeks actually the time that is going to be taken to make a decision on this? How can you do the increased looking at a particular case and come to a decision within three weeks in the real world? I am suggesting it may be much longer than that.

**Philippa Rouse:** Three weeks is our standard for turning around visit visa applications. We process the vast majority of visit visa applications in that time. It is not a hard stop. If a particular case needs to take a little longer, our caseworkers will take extra time. Three weeks gives ample time for the full consideration of the evidence and checking of the various databases that we were talking about in the previous answer. Generally, three weeks will suffice to be able to do the fuller, thorough checks.

**The Chair:** Thank you for that. If somebody is refused an ETA and they apply for the visitor visa, in those particular circumstances, would the person's application for the visitor's visa be exactly the same as anybody else's, or would there be additional questions addressing the issues that have led to the refusal of the ETA?

**Philippa Rouse:** Our visitor visa rules are quite broad and open. Therefore, it is the caseworker who will know that the person has been refused an ETA and so can choose to ask for more information if they need to. It will depend very much on the circumstances.

**The Chair:** There is the opportunity for asking further; in other words, in applying for the visitor visa, I have no way of defending myself against the reason I have been rejected, because I probably have not even been told what it is. I do not know what I have to convince somebody of to allow me to now have a visitor visa. Presumably the likelihood is that, if you have been rejected for one, you would be rejected for the other. That is not a very fair form of redress, but I understand it is the system in place. Time is really short and we need to move on to other issues, but, if you could just drop us a note about how you see that process being a form of redress, it would be very helpful.

Q96 **Lord Henley:** Minister, you talked about the ETA assessment as being partly automated and light touch, but, in the case of refusal, it would always be human touch.

**Tom Pursglove MP:** That is a good way of putting it.

**Lord Henley:** There is no automation. A number of factors and characteristics would be taken into account in assessing the degree of risk. We have seen a list of questions that are apparently put to the individuals. The Chair mentioned one earlier: "Have you had a criminal conviction in the past 12 months?" There are some basic ones, which I imagine are part of the automated thing, so email address, phone number and all that. What are the characteristics you would be looking at?

**Simon Bond:** We have covered this already. The three areas we are looking at are your security status, including criminality, and your immigration status. We are looking at those. Depending on what the answer is, we will check 100% of people

against the datasets we have described. If they come back clean, that would push you towards automation.

**Lord Henley:** With some, you are not really likely to get a straight answer. “Have you ever been involved in, or suspected of being involved in, war crimes, terrorism or having extremist views?” If I had been, I would be unlikely to say yes. Is that right?

**Simon Bond:** I cannot speak to what you would be likely to say.

**Tom Pursglove MP:** People should of course complete the forms accurately and truthfully. That is why we run it against the checks.

**The Chair:** I am sorry to interrupt, but the point that Lord Filkin made is, for us, the critical issue. You can say that and the majority of law-abiding citizens of any country will do exactly as you ask. The people we are particularly looking out for in securing our borders are the very people who will find ways round your system. That is why we are asking the question.

**Tom Pursglove MP:** I go back to the point that this is one tool to try to help us highlight risk and tackle it. It is one part of the answer to how we go about doing that.

**Lord Henley:** It is the earlier intervention. The equally important intervention is Mr Bond’s people at Border Force, at the gates, and the assessment that they make when the person comes in. We hope that, by the process of the ETA, we have dealt with those who are, in the main, legit and are not going to be the villains that Lord Sandhurst referred to. We are going to allow the ordinary traveller to get through with greater convenience.

**Tom Pursglove MP:** That is exactly the mission that we are on. The e-borders workstream that we are taking forward is all about allowing Border Force officers and Home Office teams to be able to focus more on risk, so focusing our efforts on high risk, and having greater automation for legitimate passengers who pose no problem whatever to the UK public and who have consistently been compliant. We want to make their experience of UK ports as seamless as possible, so they can go about their legitimate business, come and go.

This is a tool, as I say, that helps us to do that and that feeds into that wider picture, that wider work we are doing to have greater automation, but to focus our efforts and our energies where the risk sits and where those risk profiles are most prevalent.

**Baroness Buscombe:** I am looking through the list of questions. I do not understand. There is nothing here that asks, “What is the purpose of your visit?” which is something we have to fill out everywhere else in the world. “How long can you stay here?” “Is your exit checked?” There is nothing here. You could come here for life, looking at this.

**Tom Pursglove MP:** That is actually a very good point that you raise, Lady Buscombe. You always raise very good points. When you were in the Department for Work and Pensions, you also used to ask many very pertinent points. You asked them of me when I was there as well.

**The Chair:** Flattery will get you nowhere, Minister.

**Tom Pursglove MP:** That is a very good question. I have asked officials to look at that, not least because of the international comparisons that you have made mention of. This is one of the reasons why the incremental and gradual rollout of this is the right approach, because we can iterate the questions, we can iterate the process, and as we go through this we can learn more and evolve it. This is a very legitimate point, and one that I have raised previously and want to think about as we move it forward.

**Simon Bond:** Just to be clear, with what an ETA grants you, you cannot come and work or study.

**Baroness Buscombe:** It does not say this.

**Simon Bond:** In the guidance, it does cover all of that.

**Baroness Buscombe:** I just want to know, particularly having worked at the DWP, that people have an exit, they have to leave, they cannot stay here for ever.

**Tom Pursglove MP:** That is a really legitimate ask and it is one that I have commissioned the team to have a look at.

**The Chair:** Our incredibly efficient clerk has just passed me a note, which I will share with you, because it is another very good question. If you look at the question, “Have you been convicted of a criminal offence with a prison sentence of 12 months or more?” does it take account of the differing sentence lengths for particular offences in different countries? Everybody is pointing at somebody else.

**Philippa Rouse:** We keep it straightforward—“Have you been sentenced for 12 months or more?”—because it is really important that we keep the rules simple. The kinds of things we take into account, of course, are crimes that are not crimes in the UK and we include specific guidance in that for people when filling out the forms but also for our caseworkers. If we have not shared it with you already, we definitely should. It is on GOV.UK, but we will share with you the caseworker guidance for making decisions on these issues.

**The Chair:** That would be extremely helpful, because one issue that has been raised, for example, is homosexuality, which is not a crime in this country but is a crime in some other countries. But even providing information to that other country may, of course, create tensions with its Government as well. I am sure it is not as simple as just doing it. We look forward to seeing that.



**Tom Pursglove MP:** It is worth adding that that mirrors, in our own domestic legislation, the UK Borders Act 2007 and the threshold for deportation proceedings. There is some consistency there in the way we approach foreign criminals.

**Q97 The Chair:** I want to move us on. Time is relatively tight now, but you have said, quite rightly, and we entirely share the view, that the introduction of e-gates, of e-documentation of one form or another, can be of enormous benefit when correctly done. There is no question. You also quite rightly said it means that the remaining parts of the system can then more effectively focus on how to help secure the border. A key element in that is Border Force itself. While we have been told of some amazing work that individual members of Border Force have done and do, and we are in no way critical of the individuals working within the organisation, we are aware that there have been concerns expressed about Border Force.

Mr Downer, in his report back in 2022, talked about Border Force needing a clear identity and the organisation performing at a suboptimal level. We know from Tony Smith, former director-general there, of concerns about recruitment and retention. We know that the former Independent Chief Inspector of Borders and Immigration shared many of the concerns that Mr Downer had. I just wonder whether you could give us a very quick summary of your thinking on how the concerns about Border Force are going to be overcome. Then I have a very specific, nitty-gritty question to come on to. Are there any general comments about overcoming the problems that others have identified within Border Force?

**Tom Pursglove MP:** Mr Downer made some very valid observations and recommendations in relation to how Border Force could be improved. My understanding was that, when he appeared in front of the committee, he was broadly positive about that work that was being taken forward. There has been a real focus on reshaping internal structures. There has been a real focus on Border Force working practices and how those are delivered in practice, particularly with a greater focus on teamworking and a move away from certain types of rostering. I know there are different views on that at Heathrow, but that was a recommendation that we have sought to take forward, as well as a focus on learning and development and a model that fits around that.

Border Force has a number of responsibilities. A big focus for us in the Home Office is the security side of that. It has a customs role, which is pertinent to the Treasury in particular, but also thinks, for example, about animal and plant health. It has a role to play in that and tackling exports of illegal wildlife trade items. It has a real role to play on a whole host of different fronts, but we remain open to working through those challenges. We have made good progress against the recommendations that Alexander Downer set out. I am pleased you were able to hear from him directly about some of that work.

**The Chair:** We will keep looking at how that develops. Very interestingly, just looking at some of the practicalities, we know that the Border Force staff who actually man the e-gates, where people come in with their e-documentation of one sort or another, are divided into three. There is a roving officer, who we will come

back to; the monitoring officer, sitting behind a screen looking at the computer and so on; and then the referrals officer, who deals face to face with anybody there is a problem with.

The roving officer is somebody who is actually in there, among all the people in the hall. The job of that person is basically to look out for people who are looking suspicious, even if their documentation is absolutely A-okay and so on. What the inspections have revealed is that those roving officers are very often distracted by having to help manage the queues. They are distracted by having to answer questions that are asked of them by people in the hall. Above all, they do not even have the proper equipment to do anything if something happens. For example, they do not have communication systems.

Just with regard to that very specific thing, given that you rightly said there is an important role, what are you going to do to improve the situation? Given that you have funded some money for barriers at St Pancras, will you fund some money to give them communication kit?

**Tom Pursglove MP:** I welcome the independent external scrutiny that we have received through the former ICIBI. It is important. It is right that there are those checks and balances. There were a number of issues raised. I made a commitment to Parliament to respond to the general aviation report within the eight weeks. I can confirm that report will be laid later today, fulfilling that commitment, because we want to deal with these matters in a timely way, respond to that external challenge and put measures in place where there are things that need to be improved.

**The Chair:** This is the London airport.

**Tom Pursglove MP:** Yes, that will happen later today. That commitment will be fulfilled. On the specific issue of the roving officer, my understanding is that that is an additional layer of safeguarding that we have within those terminals, as you mentioned. That does not determine the gate being open. I know that there has been an impression, perhaps, in some quarters that the border has been left unstaffed and open. We categorically refute that suggestion.

The roving officer provides an additional layer of check. It provides an additional layer of assistance for people who are trying to navigate the border. It is worth reflecting that actually 90% of people who are eligible to use the e-gates do so perfectly successfully. I do want to see the roving officer there day to day in the way that it is intended. It is an important role. That is something that has been raised and that we are looking at very carefully. We want to make sure that it is present, because that role is an important one.

Specifically on the issue of radios, which I know came up in the evidence that has been given and in the commentary around previous reports, my understanding is that radios are now in place for all three of the roles highlighted in the report. They also have a back-up mobile phone in the event that the radio technology is not working, for whatever reason.

**The Chair:** If action has been taken, we are delighted to hear it. I am sure you will drop us a note to just confirm that that is the case.

**Tom Pursglove MP:** It is most definitely the case that the radio issue has been rectified.

**The Chair:** Then we express our pleasure. There is another question that many people ask, which you will have been asked many times. Are we absolutely confident we have systems in place for the occasions when it all goes wrong, the e-gates stop working and so on? I have to say, my use of e-gates is phenomenal. They are absolutely brilliant. The system works wonderfully. I have never been there when it has failed, but I imagine that from time to time it does. Can you just give us assurance that the systems are in place to deal with it?

**Tom Pursglove MP:** Yes. I agree with you. It is one of the reasons why on e-gates we have been really working hard to increase eligibility for e-gate usage, because we recognise as part of those future border ambitions that the greater automation we can have, for the reasons we have touched on, the better it is. I understand that the committee was very interested in this back in June 2023, when there was last an outage. There has not been an outage since, so that has not been replicated, but I am assured that there is a fully manual process that can be put into being in the event that there is an issue with the e-gate technology. I do not know whether there is any insight that we can give on that.

**Simon Bond:** Since that outage last April, we have increased our resilience measures significantly. We have gone back and made sure all that our systems are as defensive as possible. As the Minister rightly says, since then we have not had any issues. Additionally, because you can never guarantee, we have put in place significant rounds of business continuity training to make sure that everyone is aware of exactly what to do in the very unlikely event of a technical failure of the gates.

**The Chair:** Thanks. That is very helpful. Time does not permit us, but one of the things we are looking at is the development of e-gates and e-technology. We have heard of some exciting ones where you do not even have to show a passport or anything. Over time, we will be interested in reports on that.

Q98 **Lord Filkin:** Minister, as you know, we received strong representations from the airline industry and the travel industry that the requirement on people who were only in transit to Heathrow to have an ETA put us as an outlier. They asserted that that will weaken the UK's competitiveness as a hub and will lead to some loss of passengers. This matters, because if a route goes marginal, having lost 5% of its passengers, it could close. It is not just inconvenience to other travellers; it is potentially real damage to the UK economy as well. Could you explain for us why we have drawn the balance in the way that we have, whereas the rest of the European Union does not?

**Tom Pursglove MP:** I go back to that distinction that I made earlier: this is an authority to travel, not an authority to cross the border. There are massive security benefits here that I would not want to undermine.

**Lord Filkin:** We have understood all that, but clearly you must think that there is a high proportion of people in transit who in some way or another come into the country by the back door. I find that hard to understand. Please explain it to us.

**Tom Pursglove MP:** I would not make assumptions in that regard about the threats that we have to manage. The product itself is fast, it is low cost, and we have committed to the industry that we will keep this under close review. We will take assessments as to the impact that it has.

**Lord Filkin:** Can you explain why we are different from the European Union on thinking that it is a greater risk than the European Union thinks?

**Tom Pursglove MP:** That is for the EU to account for. You will recognise that there are different factors that may be in play there and differences of opinion among member states. I do not know what their position is. That is for them to account for. We think that this is the right thing to do. If there are better ways of managing those risks, we would be very keen to work through that with the industry.

**Lord Filkin:** Do you accept that there will be some loss of competitiveness to Heathrow as a hub? That is what the chief executive of Heathrow thinks, and that is what the travel industry thinks.

**Tom Pursglove MP:** I would refer back to the commitment, which I repeat and has been made before, that we would like to continue to look at this carefully with the industry to understand any impact that may or may not arise from it. If there are other ways in which the objectives of this can still be achieved, we would be keen to explore those options and opportunities with the industry directly.

**Lord Filkin:** It is for the committee to decide, but we may well want to encourage you in that direction.

**Baroness Meacher:** We even require an ETA when transit passengers remain airside. That is extraordinary to me.

**Philippa Rouse:** It is a security—

**Baroness Meacher:** Transit passengers remaining airside still have to have an ETA. It seems extraordinary.

**Tom Pursglove MP:** There are security risks associated with airside transit.

**The Chair:** Minister, I am conscious that you may have other responsibilities in your House shortly. We are enormously grateful for the information that you have provided in advance, for the information that you and your officials have very kindly agreed you are going to send to us subsequently, and, of course, for the very helpful answers that you have given us during this session. On behalf of all of us, thank you

to you and to your colleagues for being with us. Our report will be out slightly sooner than you seem to get some of your reports out, but we will make sure you have a copy of it and you can respond.

**Tom Pursglove MP:** I have really appreciated the opportunity to answer your questions and to hear many very valid suggestions about this work. Actually, a quick report is no bad thing, in the sense that there are a lot of active conversations going on that that will help move along.

**The Chair:** We are well aware of that. Of course, our real praise goes to Baroness Buscombe, who always asks the ultimate pointed questions. Anyway, thank you all very much indeed.