



## Justice and Home Affairs Committee

### Uncorrected oral evidence: Electronic border management systems

Tuesday 15 October 2024

10.35 am

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Members present: Lord Foster of Bath (The Chair); Lord Bach; Lord Dubs; Lord Filkin; Lord Henley; Baroness Hughes of Stretford; Baroness Meacher; Baroness Prashar; Lord Sandhurst; Lord Tope.

Evidence Session No. 1

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Questions 1 - 12

#### Witnesses

**I:** John Keefe, Chief Corporate and Public Affairs Officer, Getlink Group; Councillor Roger Gough, Leader, Kent County Council; Gareth Williams, General Secretary and Chief Strategic Partnerships Officer, Eurostar; Councillor Kevin Mills, Leader, Dover District Council.

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## Examination of witnesses

John Keefe, Councillor Roger Gough, Gareth Williams and Councillor Kevin Mills.

**Q1 The Chair:** Welcome. We are beginning a very special session of the Justice and Home Affairs Committee. I want to say a huge thank you to our witnesses, who have come to discuss with us the latest delay in the EU's introduction of its entry/exit system. This is an issue that we have been looking at as a committee since 2021. We had hoped that introduction would take place on 10 November, but for various reasons, as we will hear in a minute, the EU decided to delay it for a time and, frankly, we have no idea when it will be.

We are enormously grateful to our witnesses for being here. Can I place on record that we had hoped by now to have a response from the Government, notwithstanding a change of Government and the intervening election, to our earlier report on this issue, which we wrote in May? I am delighted to say that, albeit at rather short notice, we received a copy of that response this morning, and obviously we will be digesting it over the next few days and taking it into account, as well as the evidence we will receive today.

Without further ado, I would like each of our witnesses to introduce themselves. Some of you we have seen before. Thank you for coming again. Perhaps Mr Williams would like to kick off.

**Gareth Williams:** I am the general secretary of the Eurostar Group.

**Councillor Kevin Mills:** I am leader of Dover District Council.

**John Keefe:** I am chief corporate and public affairs officer for the Getlink Group, owners of the channel tunnel.

**Councillor Roger Gough:** I am the leader of Kent County Council.

**Q2 The Chair:** Thank you all very much. We have just under an hour, so we will all try to keep our questions relatively brief. A fairly obvious starter question for 10 from me: what was your immediate reaction to the further delay of the launch of the EES? I start with our two councillors, because I know you have already placed that reaction on record, in local newspapers and elsewhere, but it would be good to hear it from you personally.

**Councillor Kevin Mills:** To be perfectly honest, we are extremely pleased, because we would not have been ready on the 10th. It would have been complete and utter carnage. There is no point in introducing a system so integral to this country, particularly the town I represent, unless everywhere is ready to go, so we are more than happy that there has been a delay. What we do not know to any great extent is the length of that delay and what follows it.

**The Chair:** Having read what you have said, I am pretty clear what the answer might be, but, just to place it on the record, could you tell us why we were not prepared for the introduction on 10 November?

**Councillor Kevin Mills:** To be perfectly honest, I do not think that currently the road networks are ready. I do not believe that Dover Harbour Board has the iPads that are much discussed. There has been no live trial of the technology with Dover Harbour Board. It has yet to backfill the western docks for the coaches, although that is happening. None of the infrastructure and new technology is currently ready; I do not believe that the roads are currently ready. The Department for Transport has made great play of the fact that it is looking to establish car parks, lorry parks—call them what you will—to take traffic off the road. As of today, it has not discussed that, or conversed with Dover District Council in any way, shape or form, although it must be looking in our district. We heard a couple of months back that that was what it intended to do and we have heard absolutely nothing since.

**The Chair:** That is very helpful. Mr Gough?

**Councillor Roger Gough:** It certainly comes as a relief and gives an opportunity for a number of the key issues to be addressed. What we do not know is what form the delay will take, both how long it is and what might be done during that time. We have always argued that the key thing is to ease some of the points of vulnerability. There are various ways you could do that. The most radical would be if you ultimately opted for the use of the app and remote pre-registration. At the moment, there are both practical and regulatory barriers to that in how the EU rules work. That is at one end of the spectrum. There was talk prior to the date being pulled of some form of soft launch, and there are slightly more pragmatic ways in which you could introduce it. That could be part of the resolution, but either way the key thing is to avoid a sudden point at which it becomes a serious problem.

A great deal of work has gone on to try to mitigate, but I think we would all agree that there were some serious residual risks and there may be an opportunity to address those more effectively now we have the delay.

**The Chair:** Could you respond to what Mr Mills said about the road infrastructure? Do you share the concern that the road infrastructure, potential parking places and so on are not yet sorted?

**Councillor Roger Gough:** We have certainly not seen anything on further sites. If there is one general conclusion I would draw from this it is not to let a good crisis go to waste. Our view throughout has been that, although this was very much about EES, it was also an occasion to bring home to government, as we have sought to do over years and years, that there is a long-running problem in Kent. It did not take EES to generate it; we had problems in 2015, problems in 2020 and problems in 2022, all for other reasons, and a number of things need to be done to address that. That has to remain part of the solution.

As for the operation of a whole number of practical measures, whether it was the introduction of an HGV permit system earlier this year or the trialling of that, whether it is the way in which we have sought to learn the lessons from past experiences and how we operate things like Operation Brock, a great deal has been done, but we still await some of the big structural solutions.

**The Chair:** Thank you. Let us turn now to some of the operators. Mr Williams?

**Gareth Williams:** We would have been ready on the 10th. All the equipment was in place, the teams were ready, communications were prepared, but if the data we are collecting cannot be passed to the EU systems things cannot proceed. To echo what Mr Gough has been saying, there is now an opportunity to use the delay to put in place some of the systems that will improve things, such as the surveillance technology that enables border officers to see kiosk entries and not have to recheck them at the border line, and things like the remote app. This also potentially offers a solution for a phased approach, which we would very much support.

**The Chair:** To quiz you for a second, one of the concerns that has been expressed is the delay in having the mobile technology available—for instance, the one that can be handed into cars for people to put in facial recognition, fingerprints and their passport. You say that that technology currently not being available does not directly affect you.

**Gareth Williams:** It affects us in so far as it provides a future opportunity to take the pressure off the kiosks, out of the station itself, and to manage it in a smoother way. We would be ready to do it on the kiosks alone, but the remote app provides a much better opportunity for the future.

**The Chair:** But the point is that your kiosks already have the technology in them. The issue is to link the outcome of the use of that technology to the EU-wide system, but you have the technology that would operate, so you could have gone ahead, as you say, on the 10th.

**Gareth Williams:** Yes.

**The Chair:** Mr Keefe?

**John Keefe:** We are disappointed that it has been delayed. We were ready; we had all our technology and infrastructure in place, we had our processes worked through. We have recruited most of the staff we will need on 10 November. We are disappointed that we will not be able to put that investment to use when we were ready.

We now have to look at how we make the most of this delay. What can we get out of it? Obviously, the testing needs to be rigorous, and that is at the EU end of the system. We have to ensure that the database and transfer of data are robust and will not fail at any point in the future, so a progressive entry seems like a sensible way to go about it.

The development of additional technology has essentially been on hold while EES phase 1 is being introduced, but there is plenty of additional technology that could be used at the border to speed up the collection of the biometrics and relieve some of the pressure on the surveillance of the kiosks by one border officer to every four kiosks. We could get a great deal more efficiency by using this delay profitably.

**Q3** **The Chair:** That is very helpful. I have one final question before we move on. What will happen to the staff you have recruited?

**John Keefe:** We will have to carry that cost. We cannot simply recruit people and then lay them off, so we will maintain the staff we have recruited. We will cycle them through various other jobs on the terminal, because they will be multi-skilled, and we will drill them through the process by using the routeing for cars on the terminal that we have built over the past two years. We will iron out any small bugs in that process, and we will train them, drill them and rotate them through other roles.

**The Chair:** You have already spent millions of pounds on getting everything ready for 10 November and these additional costs will obviously have implications for the company.

**John Keefe:** They will. We were looking forward to starting to recover that cost from 10 November. We will be sitting with €80 million spent—call it £70 million—to develop the technology to build the infrastructure, to do the modelling using artificial intelligence and to install all the kiosks that we had specially built to operate in the vehicle environment. All of that will have to be put into hibernation while we wait for the data. That is a cost we will have to carry because of this delay.

**The Chair:** How would you recover that cost?

**John Keefe:** Until we go live there is no way to recover the cost.

**The Chair:** But how do you recover the cost?

**John Keefe:** Inevitably, a cost like this is passed on to the consumer. Everything that we do to improve the journey of our customers gets passed on in one way or another.

**The Chair:** To be absolutely clear, this delay means that customers will effectively have to end up paying more.

**John Keefe:** The introduction of EES in itself has cost €80 million, so whether it is delayed or it is live now, there is still a cost to be carried by the consumer.

**Q4** **Lord Sandhurst:** Gentlemen, it is clear that all this came very late in the day. It is also clear that, with the exception of Getlink, the other infrastructures and things were not ready and in place. Even Mr Keefe has said that, although he was ready, a lot would have to be done going forward to development. What engagement have you had with both the United Kingdom and the EU—we want to hear about the EU too—in recent weeks, particularly the past week, about the launch date? As a little supplementary, has Getlink in particular considered seeking recovery of these costs from the EU? Might not the threat of litigation sharpen them up a bit?

**John Keefe:** Thank you for the question. We have been in contact with the UK, France and the EU on almost a daily basis since the middle of August when the EU made the last declaration that it was still targeting 10 November, because we had

not had detail on how it would be introduced. Our contacts there remain in place. The answers that we are getting from all parties at the moment are unsatisfactory, because there is no decision on when it will be introduced or how it will be introduced, so that leaves us still in the dark.

On the question of cost recovery, yes of course we are considering that. We have followed the project to the letter. We have been ready to go live and, as I say, we have put €80 million of investment into making sure that it would not only be ready but would be efficient, so that we would continue with the levels of traffic flow that we have managed today. To see that cost just sitting there is not an acceptable solution for a publicly quoted company.

**Lord Sandhurst:** Why should the consumers pay? If the EU had come up earlier and said, "Actually, we're not going to get there in November. It'll have to be Easter", or something like that, you would have been able to mitigate your costs, would you not?

**John Keefe:** We certainly would. Had we known that there would be a delay to a particular date, we could have at least reprogrammed our recruitment. We would still have had to complete the works on the infrastructure and putting the systems in and the connectivity, but we could have mitigated some of the cost, so that part of it is definitely a result of the delay.

**Lord Sandhurst:** Mr Williams, shall we go to you next? Then we will come to the councillors.

**Gareth Williams:** I echo what John has been saying about the strength of engagement and support from the UK Home Office and the strength of engagement and collaboration with the Ministry of the Interior in France. Those relationships are good. The challenging part in all this is the interface between the member states, eu-LISA and the EU. As John says, no matter how strong the relationships, if they do not have certainty themselves and do not have a decision to work with, there is nothing they can communicate.

We are in a more fortunate position in terms of the lead times for our recruitment and putting in staff. We started to get a sense of it as we were about to press the go button and have managed to hold off recruiting staff. As John says, we sit there with a high investment in infrastructure that is idle. We know this is coming and we want to make a progressive start.

**Lord Sandhurst:** I am grateful for that. I deliberately did not aim my fire at the French; I aimed it at the EU, because it seemed to me that it is where the problem lay. That is right, is it?

**Gareth Williams:** From what we are hearing, that is right. Our relationships have been strong, as I say. What lies behind the latest delay is the weakness of the test environment with the EU systems, which did not give the member states the kind of

confidence, which we all know is necessary, that the systems will communicate properly and will be robust and reliable.

**Lord Sandhurst:** Thank you. Councillor Gough, what engagement have you had with different bodies, particularly in the last 10 days?

**Councillor Roger Gough:** We have continuing engagement with national government here. That has been, as I said earlier, over a very long period. Unsurprisingly, for us there has been no real direct engagement with the Commission. We have some links. It is fair to say that as local authorities go, given our geography, we have some quite strong bilateral links across the channel, but those are not the vehicle for this kind of issue, which will ultimately be very much Government to Government in how it is addressed.

Clearly, we and local partners continue to incur costs in preparation, and we have conversations with government about that. Part of the asks that we were focused on through this year was about those costs, along with questions of communication from government and indeed a number of very specific initiatives. That continues. We have, as I said, incurred costs, and we raise that with government, not with the European authorities.

**Lord Sandhurst:** Would it help if the United Kingdom Government pressed Brussels and said, “Look, you’ve got to send someone here who really knows about it to come and talk to people on the ground to understand what the costs and the problems are”?

**Councillor Roger Gough:** In terms of the costs that we have incurred, that is a very direct, very local thing, so I am not sure that that issue would arise. Clearly, it is important for us to have all sorts of links. The main issues that would be within the competence of the French authorities or the European Commission will ultimately be a Government to Government-type thing. It is for us to make our case to those national authorities—and we do—which will then be raised at that level.

Q5 **Lord Dubs:** Thank you. You must find this very frustrating. You are being very calm about it, but I can see you must have been at your wits’ end when you thought that was the date. As I understand it, Mr Keefe and Mr Williams, you were pretty well, at a cost, able to be ready for 10 November, but from a local authority point of view you were not. Is that a correct interpretation? Do you think the general public were at all ready for 10 November, or were they still in ignorance?

**John Keefe:** The proper communication plan had not yet been launched to introduce people to 10 November. That is part of the sequence of delays that we have been through. This, of course, should have been in place originally a couple of years ago and has been delayed step by step. It was delayed again for the Olympics this year. A coherent communication plan that could have built up over many months has not been possible because the date has always been in question.

**The Chair:** Just so we can be absolutely clear, whose communication plan? Was this a responsibility of the UK Government or the EU, or both?

**John Keefe:** It is the EU first of all. It is its project. We know from conversations that we have with the UK Government that they are frustrated as well at being unable to communicate on behalf of the EU to citizens who will eventually be impacted by EES.

**Councillor Roger Gough:** Could I add a couple of points? I do not think it was a case of local authorities not being prepared. Frankly, we—when I say we, I mean all the partners across the Kent and Medway resilience forum, of which Kent County Council is a leading member—had probably done as much in mitigation as was within our power to do. The question was whether there were some very big, as I put it earlier, structural issues—whether about long-term sites, the technology or whatever—that were not, I think we would all agree, in a state of preparation. There had been a huge amount of work to seek to mitigate those effects as and when they arose.

Coming back to the point about communications, I very much agree with what John just said. It has been a matter of stages. To go back to the summer, we had a gathering of the local authority leaders, and indeed a number of other key partners, on this in Kent in July to look at where we were as we were approaching what was then believed to be the autumn deadline. We also had representatives from some of the key government departments there, and the whole question of communications arose. Then the message was, “Not at the moment, because we’re getting through the summer getaway and the Paris Olympics and all of that”. After that would be the point at which the national-level comms would have been cranked up, and we would have done our own part of that coming in alongside it.

That, of course, did not happen, because almost as soon as you were through the Paris Olympics it was becoming clear that there could well be delays, and nobody was quite sure on what foot to proceed. It has been a story of continuing delays, but the level of public awareness has probably grown quite a bit in Kent just because it is something that we have been raising and it has been in our local media quite a bit. I do not think it was that registered nationally, and we were only just in the process of getting going on that.

**Lord Dubs:** Councillor Mills, do you want to add anything to that?

**Councillor Kevin Mills:** I do not have any customers. We are not the highway authority. We are a bit player. We have to focus on the community and the impact it has on the community. The residents of the Dover district are sceptical, because without EES we still see the town coming to a gridlock several times a year. If you add this to it, it is gridlock on steroids, which is what concerns us. It is fine that we say, “Well, we think we’ve done what we can”, but if the Department for Transport is still saying, “Expect up to 14-hour delays”, there is a problem somewhere that still needs to be addressed.

We are not the highway authority, but I agree with Roger on the communication. We and other councils are working with Kent. The word is getting out in the districts, but possibly for the reason “Get ready for real queues and real gridlock”. In



Dover, it is not just the A20; the whole town stops. Nothing moves. I am not exaggerating. When you walk down the town—you have to walk, because you cannot get a bus or anything else—and see ambulances stuck in queues, you start to worry. The impact on Dover is particularly bad.

Everywhere suffers, and if we do not get this right it will backlog. With great respect to Eurotunnel, it does not matter how much work it has done. If those queues keep going back, nothing will get on to its site, sadly, and then it backs up into the rest of Kent. It has a national implication, but for the area I represent it is immense. I cannot exaggerate the damage it does business-wise to the community, to individuals and to the security of the country because staff cannot even get in to work to secure the borders. That is our problem. We are well aware of the situation. I am not sure that a lot of the travellers are.

**Lord Dubs:** Mr Williams, is there anything you want to add?

**Gareth Williams:** We test customer awareness regularly as part of our customer surveys. We have seen an increased awareness, although it remains relatively low—not among the majority of customers—and it remains very much in general terms. There is awareness that a new EU system is coming and that it will increase the processes at the border, but it is not a level of understanding that people can really do anything with.

Communication is essential. I agree with John that you can say that the principal responsibility rests with the EU, but we know that the most affected travellers will be UK nationals and international passengers who are arriving in the UK and then transiting with us or the channel ports or Getlink to Europe. The Home Office recognises that, and it has been prepared to increase the national communications. We certainly have sought to develop a communication plan that applies the lessons we learned particularly during Covid about how to communicate new processes effectively to passengers, but there has been no point pressing go on the next level of communication until we communicate with certainty with customers what is happening and to what extent and when.

**Q6** **Baroness Hughes of Stretford:** You have probably covered some of the detail that I wanted to ask you about. What does the delay mean for the existing preparations, and are some of those now being written off?

**John Keefe:** They are certainly not being written off, but they will be hibernated over the winter and into next year. There are in fact additional cost. We have built it. Now we will not be able to operate it, so we have to maintain it without any use. Everything that has been built has been tested operationally at our end and modelled thoroughly before going into plan, and the plans have been delivered to time. We are confident that what we have built will eventually be useful. It is just when.

**Baroness Hughes of Stretford:** You mentioned earlier that you hoped to use this additional time that you are now forced to enter into to develop some additional

technologies and look at how you could increase efficiency in staff ratios on the kiosk. Could you give us some examples of the additional technology you might be looking at and what the cost of that might be?

**John Keefe:** Going back to the very beginning, EES is designed for an airport environment where people are in an indoor, well-lit, weather-protected, comfortable, spacious environment with plenty of time. Our model is a very high-density, fast-flowing, vehicle-based system. People are sitting in metal boxes, and we have to get the same level of biometric data from them sitting in a car as you can get with an individual passenger on foot in an airport. We are looking at technology that will enable us to capture biometrics—facial biometrics in particular—in moving vehicles, so that they do not have to stop at a particular location, we do not have to have specific lighting and weather conditions, and we can capture that because of the quality of the imagery.

There is a lot of work going on in improvements of the capture and the sophistication of the facial biometrics. We would also like the capture of fingerprints to be done somewhere else. As we all use a thumbprint or facial biometrics for our smartphones, we believe that there is a way of capturing fingerprint biometrics at distance as well. Those are all the things that we have already started working on, having got through the initial plans on the EES day one launch. We hope that we can engage with the EU and the national authorities in France and the UK on bringing those forward to make the most of the delay and bring an even better system into place when it goes live.

**Baroness Hughes of Stretford:** Travellers could import that data elsewhere, at home or en route even.

**John Keefe:** At home or en route. Some people book a long way in advance, so they could spend the time at home doing that. We know that in other countries around the world it is possible to capture your facial biometrics on your smartphone in the car on your way to the border. Those kinds of things are possibilities for a next phase that we could use the delay to address.

**Q7 Baroness Prashar:** My question is for Councillor Gough and Councillor Mills. What is the role of Kent County Council, Dover council and other agencies in preparing for the EES? Are all the agencies working well together? Have you found the support offered to you by the UK Government helpful?

**Councillor Roger Gough:** Our role is very much to make the maximum preparations that we can locally and to highlight the issue in our continuing engagement with government. Those are the two main roles.

Taking the local one first, the main vehicle for preparation on this is the Kent and Medway Resilience Forum, in which KCC is clearly a leading partner. It is fair to say that the forum works pretty well, partly because we have been so practised at dealing with these sorts of issues over many years, and that played out quite

significantly at the time of Covid. It has been very much around contingency planning for what might arise.

Coming back perhaps to the previous question, all those preparations are not lost, and, if anything, we continue to hone them with each and every getaway. We seek to learn lessons every time you get to an Easter or a summer getaway and the experience on that.

We have always made the case strongly to government about preparation. We have seen through this year—it probably started in the early part of the year—that it carried very much into the new Administration, who sought to get to grips with it very quickly. It is worth saying that the previous Transport Secretary's and the current Roads Minister's first visit outside London was to Kent. There was good engagement there. We see as critical looking forward that the Government keep that level of engagement, and, as I said earlier, continue to focus also on the longer-term issues, because, to echo what Kevin said, EES is an extreme form of a problem that we have lived with and sought to manage and work around over many years, which is the vulnerability that there is at our ports. We want to keep the Government focused on that, and that is part of our ongoing discussion with them.

**Councillor Kevin Mills:** We feed into the Kent and Medway Resilience Forum and work closely with KCC. We will provide advice and guidance, for want of a better phrase, from the situation that we have in Dover. That is how we probably feed in more. To be fair, we recently met with a number of government departments, and I have to say that we were fairly positive, if we could be positive, about the way the Home Office is now interacting with European opposite numbers and about the relationship, which seems to have improved considerably. That is them saying that, not me. We would feed in via that as well. Most of our work as Dover district would be to feed into the Kent and Medway Resilience Forum, which, as Roger said, is well practised due to the fact that it meets on a fairly regular basis, sadly.

**Baroness Prashar:** Are you planning to use the time of the delay in terms of the resilience forum? Do you have any plans? Are you going to firm up your preparations?

**Councillor Roger Gough:** It would be just continuing that process and learning. Some things were coming through relatively late in relation to 10 November. A lot of modelling work has been done based on our own models. There was also government information, which we had long asked for and got. That enables us, particularly working with local partners such as Dover District Council and others, to have as granular an understanding as we can of what might happen in particular areas and therefore how we can seek to mitigate it. That work continues.

**The Chair:** I am conscious that in your earlier remarks both councillors expressed real concern about the road network not being sorted out. You expressed concern that plans for lorry parks and other forms of parking had not even been discussed with you. It strikes me that we are nowhere near as advanced as you are now beginning to describe with the work of the resilience unit and so on.

**Councillor Roger Gough:** Perhaps in what I am describing I could draw a distinction that has been made locally, albeit working with government agencies. An important part of this is that, as we continue to hone our plans, government remains deeply engaged with that. The signs, particularly recently, have been positive, but it needs to be sustained. There is a distinction to be made between that and some of the bigger structural issues, on which there is more to be done. The other element is above our pay grade, but we seek to influence it: the conversations between national government and the European Union about how this is introduced.

**The Chair:** I understand that. I am just trying to make the distinction. You are saying that there is a good, close working relationship between the councils and government, yet at the same time you are telling this committee that there are some key issues such as those affecting the road network, the availability of car parking places and so on about which you are not in discussion and, as far as you are aware, on which work has not yet been done.

I have looked back at the newspapers from your local area, and time after time they talk about talks going on about buying up land for car parks and so on. That is reported several times in your local papers, and yet you are telling me that you know nothing of what is going on. There is surely something wrong here.

**Councillor Kevin Mills:** There is definitely a communication problem with the Department for Transport. It said at a meeting a couple of months back, "We're looking at it", and we have had no interaction with it since. We pick up rumours that it is discussing utilising other areas. You do not have to be Einstein to work out that, wherever you are going to park, a vehicle needs to be on hardstanding and not on grass, and you do not want it too far from a motorway. We have had no interaction at all with the department. It will not be in a position to build new car parks, call it what you want, within the timescale because, if nothing else, half of Dover is an area of outstanding natural beauty. It will take ages to get it through, and I do not think it will. There has been no dialogue at all. The time needs to be used to try to bring that out.

It also needs a change of legislation. At the moment, it says, "We'll pull tourist cars off stream". You cannot. You have no power to do that in the United Kingdom at the moment. The car driver will just say, "I'm still going to go down to Dover. What are you going to do about it?" At the moment, the answer is that you cannot do anything, which is why we have the real problems we have. It is not necessarily just freight. Most of the freight will not have a problem with EES because it is European anyway. We think we can deal with coaches. Cars are the concern to me in our district.

**The Chair:** That has been very helpful. Thank you. I hope we will be able to do something in the report we write following this that may go some way to helping you a bit.

Q8 **Baroness Meacher:** The EU is now considering a "phased" launch for EES. What will that actually mean for us in this country? Can you describe a little bit what the

European Union means by phasing the launch of the EES?

**John Keefe:** That is a question we would all like answered by the EU. Thank you. We expect that it will not go for a big bang across every point of entry at the same time. It may reduce the requirement for data capture possibly to facial biometrics or fingerprints only, but we do not have clarity. Possibly, it would start in a small, poorly frequented point of entry to the EU where it would not generate large volumes of traffic. At the moment, that whole question remains to be answered by the EU.

**Baroness Meacher:** What is all this going to mean for the juxtaposed borders? Can you talk a bit about how that will impact?

**John Keefe:** I can only talk about the Eurotunnel version, and I am sure Gareth will chip in on the differences with Eurostar. For us, the volumes of traffic that we carry on a daily and hourly basis mean that we need the system to be tested and robust before we introduce it. It is not feasible for us to introduce a partially tested and unreliable system. We have made this point very clear to the EU through the Home Office and the UK Government. The testing element is the critical part of it. We were set up for a six-month testing period before “go live” in November, which has not happened. We still require a very lengthy and detailed testing period before we believe that juxtaposed borders should go live.

**Baroness Meacher:** Are you confident that there will be this testing period and the testing will actually go ahead as you require it to? Are you able to influence that yourselves?

**John Keefe:** The relationship that we have with all the government parties is good. Perhaps the delay is in some way in response to recognition by the EU—perhaps late in the day, but a recognition none the less—that it would not have worked to go live on 10 November without the robust testing programme. We hope that behind whatever progressive entry into service the EU proposes, particularly for the juxtaposed ports, there will be a very robust testing process before we are asked to engage.

**Baroness Meacher:** You are confident about that, by the sound of it.

**The Chair:** Mr Williams, do you have anything to add, or do you just agree with Mr Keefe?

**Gareth Williams:** I agree with what Mr Keefe said about the robust test environment and ensuring that the technology is stable before you go live.

You asked whether we understood what the EU meant by a “phased” approach. The answer is, of course, no, not yet. I know what I would like it to mean. I would like it to mean that we have the latitude to work with the French authorities in order to manage a phased approach to volume. I would like to start that process, because the more people you can start establishing their files, the less pressure you have

further down the track, perhaps in the summer months when more people are travelling through.

I am not interested in a process that is about doing a partial file and then someone who is semi-registered has to come back at a later date and re-register, but I am interested in being able to start up with maybe 5% or 10% of passengers and use that to test our communications, our processes, our systems and the way in which the technology is working in a real-world environment to take away the element of big bang and to build it progressively from there as we build confidence and experience.

**Baroness Meacher:** Thanks very much. That is very helpful. Do Mr Mills or Mr Gough want to add anything?

**Councillor Roger Gough:** I would add little to that, except that I think the point about testing is absolutely valid. We spoke earlier about some of the various forms that a more gradual introduction could take. The point about getting away from big bang is very fair.

**Baroness Meacher:** Yes, absolutely.

**Q9 Lord Henley:** The Port of Dover is in the process of filling in the Granville Dock to create more space. Could the two council leaders comment on just what progress is being made on the Granville Dock project?

**Councillor Kevin Mills:** All I can say is, yes, they are filling it in—I went past it on the train this morning—but I could not give you any dates or deadlines on it at all at the moment, I am afraid. The important thing to remember is that, in my understanding, Granville Dock is to clear coaches. It has the authority to clear coaches. It has no authority to clear tourist traffic away from the eastern docks as such. It is ongoing, but I could not tell you what the timescale is, with the greatest respect.

**Councillor Roger Gough:** The key question is what happens with cars and tourist traffic. Part of the discussions that were leading up to potentially 10 November and could well be part of what follows from the delay is whether there is a more pragmatic approach to that. That would make a significant difference, because many of the things we are rightly focused on are taking the pressure off a very constrained site. That is the point of maximum risk of vehicles spilling over on to the main highway network.

**The Chair:** Thank you both for that. Can I place on record that we invited the Port of Dover authorities to give evidence today? Given the short notice, just as we gave you, they were unable to make somebody available, but obviously we are in contact with them. We are hoping, in fact, to make a visit there on 7 November, all being well.

**Q10 Lord Tope:** A little earlier, Mr Keefe, I think, mentioned the desirability of being able to collect some biometric information in advance of arrival at the departure point.

When we were doing our inquiry a few months ago, we were told about the development of a mobile phone app. Do you have any information on how that is progressing? When is it likely to be available and become operational? We knew it would not be in time for 10 November. We knew that some months ago. Are you confident that it will become available?

**John Keefe:** I am afraid it is another “no” answer. We do not have very much information about timing. We know that there is an app in development. We are not clear on exactly what it will be possible to do with it. We are not entirely sure when it will be available. We are certainly not sure whether it will be available in time for the new date that we are waiting to hear announced for the introduction. A mobile application and the possibility of enrolling your data away from the point of entry will be a huge advantage to traffic flow. It has great value in the longer scheme of things. If the delay enables it to be developed, it will inevitably help in traffic flow, but we do not have any more information.

**Lord Tope:** Mr Williams, are you better placed?

**Councillor Kevin Mills:** I spoke to the committee before about our biometric check-in system, SmartCheck, which does a lot of that. The developer of that system is one of the parties engaged with the development of the EU remote application. I believe that proof of concepts and the application have been tested in Sweden. That application is now in the middle of a process to let a contract for it to be developed and then introduced by member states. I do not have the detail of the timing of that. It is still being resolved, but we hope that progress can be made on it within the timescales that we are talking about.

Even when it is in place, it will not obviate everything you have to do at the border at the kiosks. In particular, I do not believe that, certainly in a first phase, it will be able to do anything to do with fingerprints. Those will remain at the kiosk. It is intended to reduce the time per transaction that has to be spent in the station or at the border.

Q11 **Lord Tope:** We understand that it will not and could not do everything, but presumably you feel that it would make a significant difference when it is available and tested and operational. Is the forced delay now possibly a help towards achieving that?

**John Keefe:** It is possibly a help towards achieving that. It is also worth saying that the app, as we understand it, is being prepared for subsequent entry to the EU, not first entry. We will still have to go through the process at the point of entry at the juxtaposed borders of the initial enrolment in the EES system. It is being targeted at those who have already enrolled and are going into the EU or leaving the EU subsequently and who will not need to put in all their biometrics. We still need to go through the first enrolment. Yes, hopefully, the delay can be used to put more work into the app for subsequent travellers.

**The Chair:** Mr Keefe, I am genuinely just asking, because that was not my understanding up to this point. You are pretty clear, are you, that when the mobile

app is available, which we are expecting and has not come, it will not be used for the initial capture of the biometric data?

**John Keefe:** That is correct.

**The Chair:** It will only be used for the subsequent checking of it. That would mean in a car situation, say at Dover, everybody would have to get out of the car, and it could not be used for the initial capture of data by passing the app into the car, which is certainly what a lot of the newspapers are reporting is the purpose of it.

**John Keefe:** There are two pieces of technology in this. The idea of passing something into the car was always the tablet solution—the iPad passed into the car. The app is not for passing into the car; it is for using at distance, perhaps at home. Our understanding is that it would be initially only available for subsequent entries. The initial enrolment would still have to be done, in our case, by stepping out of the car at a kiosk under the control of one border officer for four kiosks. The introduction of the app longer term will speed up the process for subsequent entrants, but there will still for some time to come be a constant turnover of first entrants going through the borders.

**The Chair:** Thank you. I am clear and I am very grateful.

Q12 **Lord Bach:** This is for the representatives of the companies involved here, Mr Keefe and Mr Williams. What does the delay of EES mean for your companies' preparations for the UK's electronic travel authorisation? What are the consequences? What would you like to see as a consequence of the delay that we have heard about so much this morning?

**Gareth Williams:** What we have asked the Home Office for previously, and the Home Office has responded to, is not having new systems introduced coterminously so that we are trying to manage two new things at once. It is very difficult for the Home Office to make its own plans against the shifting uncertainty of what the European deadlines will be. That remains a factor.

For us, the broader point is that we are seeing a huge amount introduced at the borders from both the EU and the UK. We are seeing interactive API, we are seeing ETA from the UK, we are seeing EES, and ETIAS, from Europe. Our concern is that they do not join up. They ask in all cases for very similar information through very different channels. The more you ask for the same information over and over again, the less compliance you get and the less robust the system is. There is a need, certainly when the initial dust settles on EES introduction, for the UK and its Schengen partners to take a step back and think about how the border can be rationalised to work efficiently for passengers.

**Lord Bach:** Thank you for that.

**Gareth Williams:** It is a sort of juxtaposed control 2.0 for the digital age.



**John Keefe:** I agree with everything that Mr Williams has just said. The two address separate populations, so we have to be quite clear, but those of us who operate juxtaposed borders will be involved with both of those populations flowing through our terminals. It is very important that the introductions and the communications of the introductions are clear and distinct. There is a risk at the moment that the two could be introduced at the same time, which will be most unwelcome.

I would particularly support this: the single point of data entry and the use of that data shared by different authorities is critical. Having portals that are accessible to all but that can transfer the data readily between them would simplify life. Having an EES app, an ETIAS app, an ETA app and each app then modified to the country that refines the design, and then perhaps even adapted to the point of entry, is increasing complication to the nth degree. A little bit of pragmatic co-ordination on what data is needed, how it can be entered in a simple manner and how it can be used efficiently would take us a long way ahead, and for the operators and for the general public would make things much simpler.

The data flow to the authorities increases exponentially with every new piece of technology that comes in. From the security perspective, a lot more data is available on the general population flowing through. They are not the ones of interest. This should be used to allow much more specific targeting. There should be consideration given to those who are not targeted at borders but who are simply travelling through them, and this is a great opportunity to develop that.

**Gareth Williams:** Can I build on what John said? There are two different approaches and philosophies to this that are taking place at the same time within DG HOME. On the one hand, DG HOME is developing things such as the European identity wallet, a single portable identity verification, and it is developing a set of standards that others can then apply in order to develop applications that will use that effectively. When you look at the same problem being solved on the border side, it always seems to be solved by a different app in a different ownership that is bespoke to that one individual process, and it is not being joined up in the same way. If they would offer a set of standards that we could use to collect the data and then pass it on to the authorities for their individual and separate processing, that would be a significant way forward.

**The Chair:** Thank you. I will have to draw this session to a close. On behalf of the entire committee, I thank all of you for coming to be with us today, and Mr Williams for taking the trouble to join us from Brussels. We found it enormously helpful. It is normal on these occasions to say that if you have anything you wish you had said please feel free to write to us, and I offer that as I always do, but I ask that you do it with a matter of extreme urgency because we are very keen to get in touch with the Government in the light of this session and to offer some further thoughts for the way forward. If there is anything, I would be enormously grateful if you can get it to us in the next 24 hours. Apologies for that. If you want us to help you, clearly, we need you to help us.

Huge thanks to you for taking all the trouble and for the evidence you have given. For those of you who have been before, thanks for coming on yet another occasion. I hope that we will see progress rapidly, but I am not convinced that we will, so I suspect we may be having another session at some point in the future. Hopefully, it is one where we can all celebrate success and celebrate the work that all of you have been doing in advance to get prepared. It is not your fault that things have gone the way they have gone, so thank you for the work that you have done.