

Digital, Culture, Media and Sport Committee

Oral evidence: EU visa arrangements for creative workers, HC 47

29 June 2021

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Members present: Julian Knight (Chair); Kevin Brennan; Steve Brine; Alex Davies-Jones; Clive Efford; Julie Elliott; Damian Green; Damian Hinds; John Nicolson; Giles Watling; Mrs Heather Wheeler.

Questions 214 - 286

Witnesses

I: Rt Hon Lord Frost CMG, UK's chief Brexit negotiator; and Caroline Dinenage MP Minister for Digital, and Culture, Digital, Culture, Media and Sport.



Examination of witnesses

Witnesses: Lord Frost and Caroline Dinenage

Q214 **Chair:** This is the Committee's one-off hearing into EU visa arrangements for creative workers. We are joined today by the Rt Hon Lord Frost, the UK's chief negotiator and Minister of State at the Cabinet Office, and Caroline Dinenage, Minister of State at DCMS. Hello, Caroline, and hello, Lord Frost. Thank you very much for joining us today.

Lord Frost, I want to start with you, if I may, to set the groundwork here for the questions that my colleagues want to ask. Could you outline for the Committee what bilateral meetings have taken place with individual countries in order to sort out the problem of working arrangements for people in the creative sector? What has your role been in those meetings, how far have they gone and what do you anticipate the next stage being, if negotiations have already started?

Lord Frost: Thank you, Chair. Let me try to answer that question in a number of ways. It is very good to be here and I am delighted to be answering your questions. I am sorry we only have an hour to do so. I do want to take one minute if I may, because it is important in answering your question, to set out the way that we are working on this question and the basis on which I appear before you today.

My responsibility as a Minister is to manage the implementation of the TCA and the withdrawal agreement and to conduct the effective co-ordination of business with the EU and member states. It is the Government's agreed view that it is for the Departments and Secretaries of State to conduct their own Department's business relevant to the TCA. It is such a broad agreement that we think it is the only sensible way to manage the broad sweep of business.

In this specific case, that means that it is the role of the Department for Digital, Culture, Media and Sport to take forward the arrangements in the TCA as regards touring performers and indeed in other areas such as—

Q215 **Chair:** Forgive me, Lord Frost. Why did the Prime Minister then say that you were responsible for this area? Was he mistaken?

Lord Frost: If you could let me finish what I am saying, Chair? It is my role to ensure that this issue is properly co-ordinated with all of our other business with the EU to maximise our leverage. This principle applies to scrutiny as well. My scrutiny responsibilities are primarily to Europe Committees and—

Q216 **Chair:** Lord Frost, order. I heard before the Foreign Affairs Select Committee about how you only want to appear before certain Committees and so on. We will take that as read. I did note that Caroline Dinenage has appeared before this Committee and the Home Office Committee and other Committees on no fewer than 10 occasions over the last year, so there is an example in that regard. Let's just take that as



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read. We saw that the other day on the Foreign Affairs Select Committee. We have limited time, as you stated at the outset, so why do we not move on from there?

My questions to you are very simple. What have you actually been doing in order to sort out this problem that we have, which is a huge balance of trade potential for the UK and is about industries where we have a competitive advantage and people in those industries cannot work in the EU at the moment. That is a major issue and it is going to become a bigger issue as we come out of the pandemic. Precisely what have you been doing in your Department in order to solve that problem?

Lord Frost: Thank you, Chair. It is important, and I have done so, to set out the basis on which I appear, as a courtesy. If you understand that, that is very good. I do think it is relevant because it is the responsibility of the Department for Digital, Culture, Media and Sport to work to implement this part of the trade and co-operation agreement. I am sure Minister Dinenage will want to talk about that.

It is my responsibility to establish co-ordination, so although I raise the issue when it is appropriate to do so—for example in the Partnership Council on 9 June—and it is my job to organise internally that the issue gets raised in appropriate moments, DCMS takes the lead. The questions as to what meetings have happened, who has been in them, and how it is being taken forward are ones for DCMS to take forward. Obviously we work with it but that is why we have Caroline Dinenage at this hearing because it is that Department's responsibility.

Q217 **Chair:** Minister Dinenage appeared before us at the start of the year and that is the reason why in February we asked you to appear before us, because she stated clearly that the co-ordination is being done by you and that this was an issue that you were taking on. Then the Prime Minister reiterated that point.

I do understand that DCMS has been starting on some negotiations on a bilateral basis, but what you are saying to this Committee, Lord Frost, is that the only time in which you have raised this issue, which is worth billions of pounds to the UK economy, since the start of the year was on 9 June at the Partnership Council. Am I correct in thinking that?

Lord Frost: I am not saying that. What I am saying is that it is the responsibility of the DCMS to take this forward with our embassies, and the engagement on this question has been done via our embassies and by officials from DCMS. That is the correct way to carry out this business.

Q218 **Chair:** You are saying that the embassies are taking a lead on this. Which embassies, who have they been speaking to and where are we with them?

Lord Frost: As I say, I do not know whether Minister Dinenage wants to come in because rather a lot has happened since the February hearing. Minister?



Caroline Dinenage: Yes, I can update you on that, Chair, if that would be helpful?

Q219 **Chair:** Order, order, order. Ms Dinenage, I am sorry, but it is not up to Lord Frost to call you to answer a particular question. We know that you have been working hard on this so we will ask you to talk on this. But as a point of form, I know, Lord Frost, you wanted to set out certain parameters of how we work on this Committee at the start. One parameter I do have for you is that it is the Chair who puts the question, not you, in this. Minister Dinenage.

Caroline Dinenage: Thank you very much, Chair, it is a great pleasure to see the Committee again. I am grateful for this opportunity to talk to you and update you on where we have got to. It is such a vital issue and I am grateful for the Committee's continued interest in this.

It is still a complex landscape and there remain some significant challenges but we have made considerable progress since I last spoke to you in February. In some areas—in several areas—the arrangements for touring are much more straightforward than perhaps we had first thought. We have spoken to every member state about the importance of touring. I initially spoke to the heads of mission in every country and since then I have spoken to a number of my counterparts in a number of EU member states. Through this engagement we have established that the picture is better than previously thought and that touring is possible in at least 17 member states without visas or work permits. That includes many of the most economically important countries, such as France, Germany, Austria—

Q220 **Chair:** Sorry, Caroline, the Secretary of State laid that out for us very clearly at the last meeting and also in writing as well, so we take that as a given. However, most of the business that is done in terms of touring involves the whole of the continent, it is not like going to the United States in that respect, it is the whole of the continent. That means that you have to have bilateral arrangements in place in many, many jurisdictions, more than just those 17. What specifically has happened between February and now in terms of those other states, not the 17 but the other states?

Caroline Dinenage: We are continuing to engage with the countries that do not have visa or work permit-free touring. For example, our colleague Greg Hands, the Trade Minister, is meeting with his counterpart in Spain today. That is one of the most economically important countries that we do not have any arrangements with. We are still confirming arrangements with two member states, which are Cyprus and Slovenia. With the final states—Greece, Bulgaria, Romania, Slovakia, Croatia and Malta—we continue to have engagements. For example, with Romania it is looking positive. It is having a visa-free festival that runs through August and September. I have been invited to go and join the festival and that will be a good opportunity to have a conversation about how we do that as a broader approach.



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Chair: Is that September, did you say?

Caroline Dinenage: August.

Q221 **Chair:** We are going to bring Kevin Brennan in at this point. Thank you for that update. I have to say that I am staggered that our first ministerial-level meeting with one of our absolutely key markets in Spain is taking place today. In terms of ministerial level, that seems—

Caroline Dinenage: Sorry to interrupt you, Chair. There have been a number of conversations that have happened before now but this is the first time we have had the opportunity to have face-to-face ministerial talks. Greg Hands is in Spain today. But we have had a number of conversations on the ground between embassies and our heads of mission and so on.

Q222 **Kevin Brennan:** Lord Frost, I have been a Government Minister in three different Government Departments, including the Cabinet Office, and I find your approach to Select Committee scrutiny pretty appalling in trying to set out—saying you are sorry at the start of having only an hour. As you know, we would like longer than an hour because that is what is needed on this important issue. I believe that you are not keen to be here and you have tried to evade coming before us. But I will not pursue that because time is pressing.

Do you see the issue of touring essentially as an immigration issue or a trade issue?

Lord Frost: Thank you, Mr Brennan. You are right not to pursue that point on scrutiny because this is my fifth Select Committee appearance within a month and I do have another two in the next couple of weeks, so I do not particularly appreciate it if it is suggested that I am not fulfilling scrutiny responsibilities, and I am here now. The issue before us is what we can do, as Minister Dinenage set out, to support our great creative industries, and there is co-operation going on.

Q223 **Kevin Brennan:** Great, so would you mind answering my question? Do you see it essentially as an immigration issue or a trade issue?

Lord Frost: The complexity of this particular question is that it is both. Within negotiations, the negotiations we conducted last year, there is a visa angle to it, which is obviously an immigration issue, and there is a work permit and economic needs issue, which is mode 4, and a trade issue. That is why these things are particularly complicated to handle, the interaction between these two things.

Q224 **Kevin Brennan:** I have knocked on many doors in my political career getting elected to Parliament and never once have I come across anyone on the doorstep saying, "What are you doing to do about all these violinists coming over here from Poland, taking our jobs in this country?" Essentially, this is an issue about trade, is it not? We are not talking about people permanently coming to live in the UK, we are talking about having movement of artists and musicians and others in order to earn



valuable export currency in an industry in which, as the Chair rightly pointed out, we have an export surplus. Is that not correct?

Lord Frost: You are right in the sense that we are delighted for people to come and perform here. That is why we have extremely liberal rules on the subject and why Europeans can come and perform here with very few restrictions. On the wider question, you may not have heard anybody complaining about Polish violinists, I agree, but nevertheless free movement was an issue in the referendum and it was very clear that free movement ends with our exit from the EU, and this Government fought an election and won an election on a manifesto that promised just that.

Kevin Brennan: Lord Frost, I have been elected six times to the House of Commons and I do not think any MPs need a lecture on the nature of democratic mandates from members of the House of Lords.

Lord Frost: I am just trying to make clear what free movement is about.

Q225 **Kevin Brennan:** Can I read to you what one of Caroline Dinenage's predecessors said to the Commons in a debate I was present at in January 2020, post the 2019 election that you have just referred to? Nigel Adams was a Minister at the time. He said, "Touring is the lifeblood of the industry". He went on to say, "It is essential that free movement is protected for artists post 2020". He did not say preferential, he did not say desirable. He certainly did not say that freedom of movement for artists should be ended. He said that it was essential, to us in the House of Commons. Do you understand why musicians and artists and tour crew who work in this industry feel that they have been sold down the river by your deal?

Lord Frost: All I can say is that our approach to these questions was set out at the very beginning of 2020 in the document that we published, called "The UK Approach" to these negotiations. What you see is what you get with what we have, with the way that we have approached them and it has been clear. We are doing our very best and continue to do so to facilitate outward travel by musicians and touring performers so that they can perform.

Q226 **Kevin Brennan:** So when the Minister said it was essential that freedom of movement is protected for artists, that was wrong, was it?

Lord Frost: Nobody can dictate the outcome of a negotiation that has not yet taken place. As is well known, and as I have written to the Committee in some detail about, we did put forward proposals that would have very much dealt with the problem we now face. Sadly, the EU would not accept them. I am afraid that is just the reality of the way these negotiations run.

Q227 **Kevin Brennan:** The creative industries are worth £115 billion and, as we have heard already, are a net exporter, a growth area in fact. Why were the negotiations concluded with no deal for such an important sector and a growing sector of our economy?



Lord Frost: I do not want to repeat myself too much, and we have set out the detail in the letters that I have referred to. The fundamental difficulty was that the only basis on which the EU was prepared to tackle this question was the question of a permanent visa waiver. We do not agree with permanent visa waivers because they deprive us of control over our immigration system. That is why we proposed other ways through this, but unfortunately they were not acceptable. I get that not everyone may agree with the end of free movement and its consequences, but it was the Government's policy and that is what we are implementing.

Q228 **Kevin Brennan:** I think it is a complete exaggeration to say that this would mean an end of free movement if there was a visa waiver scheme. It is clearly not something that was spelt out prior or even after the election by Ministers, who said at that time that freedom of movement for musicians and artists was essential, to the House of Commons, in *Hansard*.

We have been trying to talk to you for several months. I recently read a reply to a letter that was sent to you by the Carry On Touring Campaign, who presented a petition to Parliament with 286,000 signatures. But the reply to them did not come from you but from someone called Olly—there was no surname supplied on the response—from a correspondence officer in the Cabinet Office. Why would any reasonable person working in the industry not conclude from your demeanour and inaction on this subject that you do not give a fig about the creative industries?

Lord Frost: I do not think any reasonable person could conclude that. We fought very hard in the negotiations last year to find a solution that was consistent with the end of free movement as a formal policy and we are working very hard now to find a way forward, as we have set out. It is a major priority for us and we hope to be able to deliver some results during this year. But it is a negotiation, it is not in our control and we do the very best we can to achieve results.

Q229 **Kevin Brennan:** Sir Elton John, who you did find time to meet before you were able to meet us, has issued a pretty blunt assessment of the consequences of this failure. What is your plan of action for the next six months and what was your response to what Sir Elton John said after you met him?

Lord Frost: Our plan of action is as has been set out. It is to work with the countries, in priority, that do not have particularly liberal rules on this subject, to see if we can persuade them to improve them. If we could all get together behind achieving that, that would be good.

I had a good conversation with Elton John. He was helpful to hear directly. I cannot help noticing that he had his first hits before the UK even became a member of the European Union, so there is probably more at play here than pure rules applying within the then European



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Community. Talent is important and that is why we support our talented creative industries.

Q230 **Kevin Brennan:** The Musicians' Union—of which I am a member, I should declare and have had support from previously—and the ISM have pointed out that touring is much more complicated now across EU post-Brexit than it would have been before Britain joined the European Economic Community when it did.

Why was this issue not even on the agenda of the first meeting of the Partnership Council, which you co-chair, when it was top of the agenda, apparently, according to the Secretary of State, and also that the Government were working flat out on it, according to the Prime Minister? Why did you not even put it on the agenda?

Lord Frost: The agendas are agreed jointly and there are limited numbers of issues that can go on and there needs to be—

Kevin Brennan: Did you ask to put it on the agenda?

Lord Frost: That is why we believed the most appropriate way was to raise it under "any other business".

Kevin Brennan: Did you ask to put it on the agenda before the meeting?

Lord Frost: The fact is, as you will know, that work visas and these arrangements are in the competence of the member states, not the competence of the European Union.

Kevin Brennan: But you raised it in "any other business". Did you ask to put it on the agenda is my simple question. Yes or no?

Lord Frost: You cannot put something that is not the business of an organisation on that organisation's agenda, but that does not stop us raising it in other ways and that is what we did.

Q231 **Kevin Brennan:** So the Partnership Council will not be discussing this issue. I am going to wind up with one more question, Lord Frost, on another matter. I want to press you further on this issue, and that is about the concern of the possible reversal of UK films and programmes being treated as European for cultural quota purposes in the future. I know it has not happened yet, it is just a report on it, but what would be the effect of that on exports and inward investment in the UK creative sector if that were to happen? What are you going to do, beyond hoping that good sense prevails, to try to stop that happening?

Lord Frost: It is a question that DCMS probably knows better than I do, it being that Department's business. As you say, it is at a very early stage. We hope that good sense will prevail, because we believe in free export of these sorts of products and do not believe in restricting imports ourselves. We will do what we can to influence it. In the end, this is a European Union decision and we are not a member of the European Union.



Kevin Brennan: I simply note that you negotiated the deal and you do not seem to know what the impact would be on our UK creative sectors of a restriction on our exports and inward investment. Anyway, back to you, Chair.

Q232 **Julie Elliott:** Good afternoon, Lord Frost. The UK rejected the EU's proposed visa waiver as it was thought to cover only ad hoc performances. During negotiations was "ad hoc performances" explicitly defined by the EU?

Lord Frost: The fundamental reason why we could not work with what the EU proposed was because it was a permanent visa waiver. They were the only terms on which they were willing to offer it.

Julie Elliott: Was the "ad hoc" description explicitly described or defined by the EU?

Lord Frost: "Ad hoc" has a meaning; it means what it says. I was not in the very detailed negotiations that did that but "ad hoc" has a particular meaning. However, as I say, it does not matter because that only became relevant if we had been willing to work on the basis of a permanent visa waiver, which, for reasons I have set out, we were not.

Q233 **Julie Elliott:** You have not answered my question. Are you aware or do you know, whether you were in the negotiations or not, what the definition of "ad hoc" in terms of these negotiations was? It is a simple question.

Lord Frost: All I can say is that "ad hoc" has a meaning in English—or Latin, I suppose—which is "one-off" or "occasional" and that is what it means. I know that some now argue that it does not mean that and means something different, but if they wanted it to mean something different, they would have said something different.

Q234 **Julie Elliott:** If you are not sure, is there any evidence that we could see as a Committee of what "ad hoc" meant in those negotiations? Are you able to find that out for us?

Lord Frost: As I say, I think "ad hoc" has a very clear meaning. As I say, it is possibly something that is not fully relevant because we were not able to agree to the basis of the negotiation of which that formed part.

Q235 **Julie Elliott:** I am struggling when you will not answer a question. We all know what we think the meaning is, we all have our own definitions, but are you aware if there was a definition put to the phrase "ad hoc" in negotiations?

Lord Frost: I am not aware but I would be surprised if we asked for a definition of every word that appears in the negotiations when it has a clear and normal meaning.

Q236 **Julie Elliott:** If we proceed on the basis that there was not a definition given, which seems to be your opinion, why did the UK negotiators therefore conclude that "ad hoc" did not cover touring?



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Lord Frost: I am sorry to repeat myself, but the negotiation did not get that far because we were unable to work on the basis of a permanent visa waiver, which was the only basis that the EU was willing to offer. If we had been, then we would have been discussing the declaration in which the words “ad hoc” figure. But as I have tried to say, we could not work on that basis and that is why we offered other ways through it.

If I may say so, in what we offered we were absolutely clear that the scope of what was covered was repeat tours and support staff for musicians and touring performers and we used forms of words that were 100% clear on that.

Julie Elliott: Thank you, Lord Frost.

Q237 **Chair:** To follow up on something, Lord Frost, when you discussed with Kevin Brennan before, you were very clear that work permits were outside of the competency of the Commission once the deal is done, so to speak. It is now obviously a bilateral and I understand that point. What about cabotage? That is a matter for the EU rather than member states’ competence, is it not? What have you been doing in terms of that? Have you been co-ordinating with, for example, the Department for Transport, which I understand is responsible for this as well as DCMS?

Lord Frost: Yes, you are right, it is a Department for Transport lead and we tried in the negotiations to get more generous arrangements for cabotage generally. We put forward a proposal that would have covered this particular sector for more generous cabotage arrangements, but unfortunately none of this landed with the EU.

I know the Department for Transport has been working with DCMS to try to find solutions and I believe it is about to launch a consultation with some potential solutions that it has found, so I ought to let DfT Ministers speak about that when that happens. But we have been giving a lot of thought to finding a way through this problem.

Q238 **Chair:** Was it discussed at the 9 June Partnership Council? You said that the issue generally of the movement of creatives in EU was, but was this issue discussed on 9 June?

Lord Frost: This issue was not discussed because we were still considering the best approach internally, but obviously there was an exchange of views on the general proposition of how best to support this sector.

Q239 **Chair:** Is that the “any other business”? In terms of best support for the sector, is that cabotage, is that work permits, what is that?

Lord Frost: I am not sure what you mean. I raised—

Chair: Forgive me, I will make myself very clear now. Apologies. My fault, I am sure. You stated that effectively this was to support the sector. In what ways were you proposing to support the sector? Was that through finding a solution to the cabotage issue or was that through



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some form of discussion over work permits? This was a EU Partnership, so I would imagine it would be the former rather than the latter, because that is more relevant to that. What was it?

Lord Frost: As I said, we are still considering—although I believe that process is now complete—possible solutions to the cabotage problem. Obviously I am not going to discuss them with the EU until we have decided what our preferred way forward is. What we did do was make clear that we wished to engage very actively in bilateral negotiations with member states on the visa issue, and that was understood.

Chair: Yes, I got that, but cabotage, nothing has happened, apart from the fact that you are opening a consultation. Apart from you opening a consultation, you do not have a position yet as such.

Q240 **Steve Brine:** Thank you, Lord Frost and Minister Dinenage, for joining us today. Further to the questions that my colleague Julie Elliott was asking, it is said, Lord Frost, that we rejected the EU's proposals because it covered artists only. What attempt was made, therefore, to get an extension to the proposal to cover technical staff? You appreciate that artists are often only as good as the people who support them in doing their work. What attempt was made to negotiate that extension?

Lord Frost: I am sorry to repeat myself but the problem was that we could not accept the basis of the discussions in which this was formed. There is no point in having a discussion of that point of detail if the only way of agreeing it was for us to accept a permanent visa waiver—and non-discrimination clause, incidentally—which we could not do. So that discussion rather went around in circles and that is why we put forward our own proposal, as spelt out in my letter, to cover this issue through mode 4 and work permits. Unfortunately that did not find favour either, which is why we are where we are.

Q241 **Steve Brine:** Yes. We and many members of the House have called on you to publish all the correspondence relating to the previous negotiations with the EU on the matter, so then the sector can assist in lobbying EU countries based on what we already proposed and why it was rejected. Will you do that?

Lord Frost: We do not normally publish internal documents of negotiations. I think that is just fundamental to the way such negotiations are conducted, and I think it is matter of good faith between us and the EU. But it was for that reason that I sent the Chair and the Chairs of some other committees a rather long letter setting out how we had approached this, and how the issues have been covered in the negotiations. I am not sure whether that letter is public, but we are very happy for it to be.

Q242 **Steve Brine:** Okay. The clerks will note that. I appreciate we do not normally, but we do not normally leave the European Union, do we? This particular element of taking back control has created a lot of problems. I wonder, Lord Frost, is it the truth that the Government got lucky with this



area of the Brexit deal? The kind of movement we would normally see in any course of any normal year has simply not been happening. Lots of people are very cross about this, and they correspond with us as constituency MPs, but a lot of it is theoretical right now because it is not able to happen. Is the truth that the Government got rather lucky that this is not happening as much as it might have, but it is sure going to?

Lord Frost: I would not describe a global pandemic as getting “lucky”. I think we would all rather the epidemic situation—

Q243 **Steve Brine:** I did not mention the pandemic, so I really would caution you against being flippant about the pandemic with a former Public Health Minister, Lord Frost, thank you very much.

Lord Frost: I am not sure what you meant then by “got lucky”. We are in a situation where people cannot travel, and that was caused by the pandemic. I can assure you we would rather be in a situation where things could happen as normal and performers could travel as in normal circumstances. Sadly, that is not the case. As we have noted, there are at least 17 countries of the 27 where pretty normal or entirely normal travel is possible for the purposes of carrying out performances in normal circumstances, and if we were in that situation many of the concerns of the industry would have been reduced in practice. There would remain difficulties, I am not denying that, but it is nevertheless the case that in big countries like France and Germany it is possible to travel without visas or work permits.

Q244 **Steve Brine:** Would you say that a lot of the concerns around this have been overblown? Is there an element of “nothing to see here” about this? In your honest opinion, Lord Frost, do you think that people are worked up about something that has been overblown?

Lord Frost: I would certainly not say that. I think the end of our economic relationship with the European Union, whether it is the customs union, the single market, the end of free movement, or many other things, is a very significant thing. We expect to see some of the practical difficulties that have been created. In areas like trading goods, the industry has responded rapidly and has dealt with the difficulties. As soon as travel is possible again and performances can happen, we will be behind the industry and supporting them, as we are now.

Q245 **Steve Brine:** Where do you think we will be this time next year?

Lord Frost: It is impossible to be sure, because so much depends on the course of the pandemic. If we are back to normal, I very much hope that we will have had good and constructive negotiations with the seven, as we understand it, member states that operate more restrictive rules, and will have prevailed upon them to be much more flexible. That is certainly our intention, but obviously it is not in our hands.

Q246 **Chair:** Thank you. To pick up on one point there, Lord Frost, you stated that the arrangements were that 17 member states of the EU were



“pretty normal”. We have a letter from the DCMS in which they say that some short-term touring activities are possible without visas and work permits. How does that qualify as “pretty normal”?

Lord Frost: The ability to travel and perform is a very important thing. In some countries that is not possible without visas and permits, and in some it is, but only within certain periods. There are sometimes limits upon them. Those are different situations. France, for example, as we understand it, does not require a visa or a permit for up to three months in any 12, and that feels to us like a pretty generous provision, even though it is obviously less than the situation that prevailed before 31 December 2020.

Q247 **Chair:** Yes, but it is also far less than other countries, is it not?

Lord Frost: It is, I agree with you.

Q248 **Chair:** Yes. Would you accept in terms of some of these countries, therefore, that there is more to be done than the current arrangement; that it is not just the ones that fall outside these 17 countries? There are those countries as well in which we need to be able to achieve a greater degree of access for such crucial industries. Would you say that is fair?

Lord Frost: I think it is fair. We are working with all the countries where there is a problem, and as you say, some are more restrictive than others. I hope we can prevail upon some countries to widen rules that do allow it. There are some where it appears to be particularly burdensome. Spain, for example, requires quite a lot of paperwork, and we hope that in the new circumstances Spain can be prevailed on to reduce that.

Q249 **Mrs Wheeler:** Good afternoon both of you. Thank you very much for coming to the Committee. Caroline, again, well done. Lord Frost, I am interested in going back to the beginning of the conversations that we had with our EU friends. Why did the UK propose capturing creative work under the arrangements for short-term business visits when there was no precedent for that in any other EU trade deals? I am interested in the creatives, but also the cabotage. The UK had 40% of the whole of the European business market for cabotage, and at the minute it looks like that is decidedly not going to happen, let alone about the creatives.

Lord Frost: The reason we approached this through the mode 4 route was because, as I said, we could not accept the permanent visa waiver route. It seemed to us to be the most effective way of tackling the problem. We have agreed this with EFTA, with Norway, Liechtenstein and Iceland, which shows that it is a practical proposition and that it can be agreed with European countries, given willingness to do so on both sides. We had hoped that the EU would be more ambitious in this area than they had been in the past. We took seriously at the start their wish for relatively ambitious provisions in this area of service provision, and that is why we hoped we might be able to negotiate more on it. As it turned out, it was a struggle to get the EU to make commitments that were even at the level of previous free-trade agreements, let alone to go beyond it,



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which we have to attribute to a wider strategic view of where they wanted to go. That is why, unfortunately.

We think what we put forward was a good and constructive way of trying to resolve much of this problem, but it was not where they wanted to go. It needs to be understood that very often in these negotiations the EU did not do things that most people would think were reasonable, because they had taken a strategic view, as far as we could tell, that we should not have opportunities that they had agreed with other countries. I am afraid that was just the general strategic approach that became apparent during the negotiations, and this was one element of it.

On cabotage, I do not know about the 40% figure, whether that is just in this sector or more broadly. More broadly, I do not think we have that kind of share of European trade. We knew it would be a problem; that is why we asked for special rules covering the sector on cabotage, to at least take the edge off this problem where it is clearly acute but could not agree it. Indeed, it was only in the final days of the negotiation that we got any cabotage arrangements at all from the EU. Those were the circumstances we were dealing with.

Q250 John Nicolson: Lord Frost, DCMS Ministers seemed largely unprepared for the impact the Brexit deal was going to have on the creative sector. Why do you think that was?

Lord Frost: I am not sure I would agree with the proposition. I am sure Minister Dinenage would not either.

Q251 John Nicolson: She might not, but let me quote her to you. When she appeared before us in February she said the following, "We need to get to the bottom of what all the issues are". I was quite surprised she did not know what the issues were. She also said on the vital visa questions, and I quote her, "To my knowledge there are no current negotiations taking place". This was 47 days after the agreement had been signed. When did you yourself know that the ability for artists to tour would not be included in the agreement?

Lord Frost: Sadly, we were aware that the sector would be hit in the same way as other service providers as the negotiations went on.

Q252 John Nicolson: Roughly when did the penny drop?

Lord Frost: I think it was probably only in November that it finally became apparent that we were not going to be able to persuade the EU to do more.

Q253 John Nicolson: That is why it is surprising that the Minister did not realise what the full impact was going to be in February. When did you tell the Ministers in the Department that you had been unable to secure the decent Brexit deal that you had promised?

Lord Frost: Minister Dinenage will, I am sure, speak for herself, if the Chair allows that. I think you are putting words into her mouth slightly.



Q254 **John Nicolson:** No, I am quoting her word for word. I have a transcript in front of me. The thing is that your opposite number, Monsieur Barnier, seemed to have your measure. I am looking at his diaries. Shortly after the Minister appeared before the Select Committee and said that no negotiations of any kind were taking place, he wrote the following in his diary, "In the UK, musicians, salmon exporters, truck drivers and service providers have been the first to feel the weight of the regulatory barriers which are the inevitable consequence of Brexit. In an attempt to conceal the consequences of the Brexit it asked for, the UK Government is seeking to get in through the windows of the single market, even though it shut the door on itself". That seems a fair comment, does it not?

Lord Frost: I do not agree it is a fair comment, and I would not take Michel Barnier as a particularly authoritative commentator on this Government's aspirations in the general area of Brexit. I do not think anyone can fairly accuse us of having concealed what we were trying to do. We were being very public throughout 2020. I published a long document on the subject. The approach to this negotiation has always been absolutely clear, and I do not think there has been a negotiation that has ever been so debated, frankly, as this one.

Q255 **John Nicolson:** Or so shrouded in disinformation and false claims. The EU offered a visa-waiver agreement. This is quite common practice, is it not? Since 2009 the EU has entered into 28 visa-waiver agreements with a host of countries, such Colombia, Saint Lucia, and Tonga. The reality now, because you refused this, is that a musician from Tonga has greater access to work in Europe than UK musicians.

Lord Frost: I cannot speak for the prioritisation that the EU applies to its external visa policy, unfortunately. All I can say is it is not our policy to agree visa-waiver agreements. The difficulty that has emerged in practice with the EU agreements is that because visas of this nature are not an EU competence, they cannot in fact enforce the requirement not to have a visa. We are aware of cases, where although there is a public commitment to waive the visa, it does not happen in practice at member state level. That would have been one of the problems if we had been willing to engage in this on the basis that the EU wished.

Q256 **John Nicolson:** Instead, you have landed the sector with no agreement, despite the fact that it is a hugely valuable sector. I am looking at what the Incorporated Society of Musicians has to say about the reality. Two years ago they could travel without impediment, but they now have to produce multiple copies of documents, translation of documents, certification, police certificates, proof of higher education qualifications, and sometimes they need to produce income and health insurance. The current cost of a police certificate is £55 if you want it within 10 days, and £95 for a two-day service. You guys were all about, "Let's get rid of the Brussels bureaucracy and red tape", and the reality is this sector is absolutely swamped by red tape because of the disastrous deal that you landed them with.



Lord Frost: I do not agree with the conclusions you have put forward. I am not familiar with the particular country you are referring to with regards to this paperwork. As I said, I know some require much more than others; some require none at all.

Q257 **John Nicolson:** It is the totality of paperwork that the musicians say would be required for them as of today were they to do a several-country tour.

Lord Frost: Musicians and the ISM will know that well, but I do refer back to what I said before, which is that many member states allow such touring without paperwork or visas. Where they do not, we hope to improve the situation. The political reality is that the Government campaigned and won an election on ending free movement, that was important in the referendum, and unfortunately we cannot end free movement into the UK while expecting every other member state to carry it on as before. We are in a new situation, and we want to help the industry actively to deal with that situation so they can carry on touring.

John Nicolson: I think that will raise a hollow laugh from musicians who are watching this session and are, I have to say, overwhelmingly unimpressed by your performance. You will probably catch up on that later. The reality is that you sacrificed a £6 billion sector and its workers for Brexit's anti-free trade movement zealotry.

I think it is helpful—and let me conclude on this—to raise the specific issues that some folk have to deal with. All the Members of this Committee—and you notice you seem to be irritating Conservatives equally with Labour and SNP—received correspondence from folk who have been affected by this. Let me quote Simon Halsey. He is a conductor, teacher and academic. He is a principal conductor of Orfeo Català, which is a choir in Barcelona. He did not need a visa two years ago, but at present this is what he says: he will need four 90-day visas to continue to do the job that he has been doing previously. The first visa he applied for, one visa cost him £490, and he is going to need four of these, each for 90 days, just to continue. It is a disaster that is affecting many, many people in this sector. I think a bit of humility in your evidence would have been much appreciated. Back to you, Chair.

Q258 **Chair:** Thank you, John. I have to say, I have been introduced to an experience I never thought I would; I feel sorry for Michel Barnier. I am enjoying this evidence session. Caroline Dinénage, do you want to come back on a point that was made by John Nicolson?

Caroline Dinénage: Yes, very briefly, Chair, because I know you have a lot to get through. John quoted a couple of things I said in February, and I want to clarify the context of that. He spoke about how in February I explained that we were working through the ramifications of the Trade and Cooperation Agreement. It is self-evident; it was a massive piece of legislation. It was only effectively signed off on 30 December. We are desperate in DCMS that British creatives want to tour, and the EU audiences and venues want to host them, and we want to make sure that



that happens as seamlessly as possible. We were working through the ramifications at the sharp end, and that involves co-ordinating Government Departments on a whole range of different fronts, everything from carnets to cabotage, work permits and visas, and social security payments. That was what I was referring to; we were working through all the various, different ramifications from across a whole range of different Government Departments and bringing all that together.

When I spoke about how I was not aware of any visa negotiations, that was because as far as we were concerned, the deal had been done; there was no appetite to reopen the Trade and Cooperation Agreement. We were looking at how we could work within the parameters of what had been agreed. I thought it would be useful to put that on the record.

Q259 Chair: Yes. Just to clarify your clarification, in your evidence session you stated that it was very difficult to have those conversations across Government until we had parameters, and that it looked for a long time like there was no deal at all across the whole board. Is there a sense in which, due to those pressures—many of you would understand those pressures—it was like all the politics were around fishing, and we did not have the politics around this because there was not the bandwidth?

Caroline Dinéage: Up until 30 December we did not know for sure whether there was going to be a deal or whether we would be leaving with no deal. In our Department we were looking at the ramifications of all those different outcomes. It is not until you start working through the fine print of all these things and working through the implications across all the EU member states that you sometimes become aware of issues that you were not previously aware of. For example, I personally was not aware that even within countries like Belgium there are different jurisdictions within the same jurisdiction, and you do not just work with the Belgian Government, you have to work with all the federated parts of Belgium. You can see that suddenly it becomes a whole lot more complicated than it might at first have appeared.

Q260 Chair: Yes, I remember the stuff about the Walloon Parliament and how that could scupper the Brexit deal.

Did you have to wait for any sort of green light from Lord Frost, who was co-ordinating this across Government, in order to make official approaches to EU partners for bilateral discussions in this area? Did you have to wait for any green light from him?

Caroline Dinéage: We had to wait for this to be signed off across Government. We were not allowed—

Q261 Chair: Is that a yes?

Caroline Dinéage: Yes, we waited for this to be signed off across Government, yes.

Q262 Chair: Thank you. That is very clear. How long did you have to wait for it



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to be signed off across Government?

Caroline Dinéage: I will have to come back to you with the dates, but there were different XO meetings at which this was all signed off.

Q263 **Clive Efford:** Welcome, Lord Frost and Minister. Lord Frost, can you give us a very brief outline of what you do to prepare for negotiations like this? What are your objectives? Do you go around the Departments and ask them what their priorities are for the areas of responsibility, what concerns they have, and what they would like to achieve out of a trade negotiation? Is that how you go about preparing for these negotiations?

Lord Frost: That is basically it. The broad parameters, the overriding parameters, have been set in the manifesto and by the election result, but within that there is quite a lot of detail to work through. Yes, in January and February 2020, last year, that was the process that we went through. We talked to every Department, had a series of internal star chambers, and worked up the detail of the policy within these broad frameworks.

Q264 **Clive Efford:** The Department of Culture, Media and Sport would have said to you that it had an industry that employed 2.1 million people, was worth £5 b

Q265 illion GVA to the economy, or £115 billion. That would have been pretty high up your priority in trying to defend that industry in negotiations.

Lord Frost: Yes, we were well aware of that, and that is why we put forward the solutions that we did and pressed so hard to try to get them.

Q266 **Clive Efford:** Sorry to harp back to when concerns were being raised. I am going back to the Brexit debate, and lots of concerns about the implications of Brexit were raised at that time. We were told by quite brash Conservative Ministers that this was all smoke and mirrors, this was all doom and gloom but once we got into the negotiations, cold, hard reality would hit the EU and they would be willing to concede on these issues. You seem to be saying that they became more hard-nosed towards us, not less.

Lord Frost: I cannot speak for what other past Ministers may have said on this subject. I have never been under any illusions. The EU is a very tough negotiating partner, and that was very clear in the discussions, and that Brexit itself has trade-offs. I have made no secret of the fact. I believe that the medium-term gains of Brexit, of having control of your own rules, being able to do things in your own way, outweighs other issues. Whatever others may have said, I have never sought to conceal that, and I believe it is in the overall interests of the country that we should have undertaken this in this way.

Q267 **Clive Efford:** In your negotiations that you have conducted on behalf of the country have you spotted anything that gives any hope for people in the entertainment industry, for instance, where opportunities are opening up somewhere else to replace what they are losing in the EU?



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Lord Frost: We were negotiating with the European Union. As I have said, we have agreed better arrangements with EFTA, which I agree is a small group of countries, but it shows what could be done. We believe that we will be able to put a lot of effort behind supporting the industry and trying to negotiate better arrangements with the member states where this is a problem. But as I say, it is not in our hands. We are doing our very best to move things forward.

Q268 **Clive Efford:** We have heard a lot about these 17 countries that seem to not have visas or work permits. If you look on the Government website there is no bloc that says, "If you are going to one of these countries you will only need to do this". It still says you have to look at every individual country. This idea that we have this bloc of 17 countries in the bag is nonsense, is it not?

Lord Frost: They are not a bloc; they are 17 member states. They all have slightly different rules.

Q269 **Clive Efford:** That is my point. We are trying to say it is easy to go to these 17 countries, but they all have their own individual quirks, so it is just as bad as all the others. You have to look at every individual country and deal with them individually. Is that not true?

Lord Frost: It is true, and I have never sought to deny it. That is the situation.

Q270 **Clive Efford:** This is nonsense that we are getting from the Department that there are 17 countries that it is very easy to travel around.

Lord Frost: We had this discussion earlier, and some countries have much less restrictive rules than others. We would like to improve them all, but they are all different, because the EU does not have competence in this area, and you have to deal with each member state. That is the reality of the situation.

Q271 **Clive Efford:** In terms of trying to improve that situation, what can you do?

Lord Frost: We can all take opportunities to get in behind DCMS and our embassies and ambassadors to improve the situation, as we are intending to do, and as is underway. I think it will be extremely helpful, if I may say so, if the representative bodies of the industry, musicians and touring performers more generally, could support us in that, could use their networks and their relationships with similar bodies in other EU member states to encourage those governments to be less restrictive. We would very much welcome that. I said that to Elton John, in fact, and I will say it to others. We welcome all the support we can get. I think it will be really helpful. I am sure DCMS is already orchestrating this, but I do want to put it on record that we need that sort of help and support. I am convinced that it will make a big difference to helping to improve the situation.



Q272 **Clive Efford:** It might do but what do you have to say then to somebody who has worked in this industry for many, many years who sees the sort of job that they have been doing—touring around Europe throughout their career, let's put it that way—suddenly saying, "You can only apply for this job if you have an EU Passport"?

Lord Frost: Obviously, at a personal level, I feel sorry for the situation they have to face; this situation obviously. We wish to support people like that as much as we can, but the country took a decision to leave the European Union. It took a decision to end free movement and that is what we have sought to deliver on. As I said, that brings big change. We want to support people through the big change but there is no point in pretending or wishing that change has not happened. It has happened and we wish to support the industry in dealing with the consequences.

Q273 **Clive Efford:** You told the European Scrutiny Committee that Covid-19 means the issues facing creative workers feel less urgent. Why did you say that, given that tours are planned years in advance?

Lord Frost: I think you might be over-compressing what I said on that subject. The point I would like to get across is that we absolutely understand that because of the crisis, the current pandemic, this sector in particular has been extremely badly hit. It is not just a question of touring. It is the question of the ability to perform at all, as we well know. We want to get behind the industry to make things better.

Q274 **Clive Efford:** Why does it feel less urgent? Why that term? Why is it less urgent? Surely, this probably gives us the time to save the industry and get something in place for when they can start touring again. Surely it is more urgent, is it not?

Lord Frost: I think we are approaching this with quite a lot of urgency.

Clive Efford: I can hear it in your voice.

Lord Frost: We are approaching this with quite a lot of urgency, and we have tried to set this out today. The reality is that negotiations with other countries do not always proceed at the pace that you wish, and we will try to move this on as fast as we can.

Clive Efford: What does that mean, "move it on"? Are we going back to getting the ambassadors to lobby and Elton John to get his mates to ring people up, or is something substantial happening from the Government's side?

Lord Frost: I would not be so dismissive of such activity. That is how you make things happen in diplomacy. Ministers will be involved in this process when they can move it along and I have great trust in our ambassadors and DCMS officials to be able to have constructive negotiations. That is what they are paid to do, and they do it very well. I think our diplomatic service has a great record of achieving results in these circumstances.



Q275 **Clive Efford:** What other sectors are telling you that they anticipate similar issues when business travel resumes post the pandemic?

Lord Frost: Obviously, every service sector will need to deal with the new situation. Some will be covered by the mode 4 arrangements to a greater extent than others, but the arrangements for the provision of services will change as a result and obviously we are in discussion with all the industries concerned on that.

We do recognise there is a particular issue with performing industries because it is obviously not possible to deliver the services remotely and physical presence is a crucial part of the experience, so I think that is what makes it uniquely difficult, and we do understand that.

Q276 **Clive Efford:** One last question: were you wary in negotiations that if you negotiated an agreement for creative industries that other sectors would have said, “We want the same treatment”?

Lord Frost: The creative industries were not the only sector. As I said, we went for quite an ambitious set of proposals on mode 4 generally that would have made quite a difference if we had been able to achieve something like them. We did try to achieve particular things for the creative industry, whether it was in cabotage or within mode 4, to make it absolutely clear they would be covered. I am disappointed that we could not agree. We would have liked nothing more than to have been able to agree these arrangements, but it wasn’t possible.

Q277 **Clive Efford:** Is the EU likely to come back to the table, given that it seems to be gaining a great deal in this industry now as a consequence of our inability to provide a platform for tours to travel the EU?

Lord Frost: You would have to ask representatives of the EU and the member states that question. I don’t know whether they do feel that they benefit by not having UK performers on their territory. I doubt it but, of course, that is not the situation. When the pandemic lifts—as we hope it will soon—many member states are extremely liberal on this question and will, I am confident, see British performers and they will be very happy about it.

Caroline Dinéage: Very quickly, Clive, just to help with this, to give you a sense of it. In a number of the bilateral conversations I have had with my EU counterparts, they have been really keen to make sure that the visa-free travel is understood and is embraced. Not only have they made it very clear that they want to see our performers travelling around their countries, but they want it to go further. They are keen to talk about how we can increase the amount of cultural exchange, sign some personal MOUs with them and work more closely together, so I think some positive relationships have come out of the conversations we have had and some really good opportunities for the future.

Clive Efford: We look forward to that appearing on the Government website for advice, particularly for young freelancers.



Q278 **Chair:** Thank you. I have no desire whatsoever to relive 2019, frankly, and the run down to Brexit. It was a horrendous time in Parliament in many respects and the uncertainty was pretty crippling. The problem is that it is half a year on since we left the EU fully. My sense today is that we have not really gone a huge way there yet. It seems to me that there is a definite uptick of late but, Lord Frost, do you feel that, in retrospect, perhaps you could have co-ordinated these Departments slightly more quickly than you have done to date?

Lord Frost: I do not feel that. As Caroline Dinenage said, it is reasonable that the processes of Cabinet, Government and co-ordination should happen. That is complex and Departments had to get to grips with an agreement that when it is printed out is the best part of 3,000 pages. I do not think we could have done this more quickly. I think a lot—

Q279 **Chair:** With respect, Lord Frost, as we know, very little of that applies to these sectors. You cannot say that we have been reading the agreement for six months. The impression is that what needed to happen—and we know this with DCMS because they were drawing up what they wanted to see happen prior to Brexit—is that effectively we should already have had our ducks in a row. We should have known what we wanted to do. Obviously, now we are in a pandemic and obviously this will retard certain conversations and the ability to have face-to-face meetings. That is understandable.

At the same time, six months on, isn't it fair to suggest that what should have happened is that the Government should have had their ducks in a row? They should have known precisely that for Spain, we need to do this. Slovakia, we need to do this. Croatia, we need to do this, and we should have been starting to have those conversations almost straightaway as soon as we were able to, as soon as we exited the EU; not six months later; not under any other business; not at the Partnership Committee on 9 June. That is the impression this Committee has. It is incredibly frustrating, not just to this Committee but to everyone who is watching at home, that these six months have not been perhaps put to the use they should have been, Lord Frost.

Lord Frost: I do not think that is a fair conclusion, if I am honest. My recollection is that we began the information-gathering phase quite early in 2021. It is extremely complicated to understand properly all the provisions of the 27 member states' visa arrangements and the interaction with the work permits and the economic tests schemes. That is simply an extremely complicated task. I think we did it very well considering the broader circumstances. We have now assessed the situation and we see that there are some areas that are problematic and some that are perhaps less so, and that is what we are tackling. Therefore, I do not agree that that time was not well used. I think it has been effectively used.

Q280 **Chair:** My point would be that what should have happened is that we should have already been in that position in which we were aware of the



fact that the EU was not going to do the deal in the way in which we wanted it to do. I am agreeing that we needed to stand firm in that respect, but we should have had those details in place and then we could have acted on them. That preparatory work should have been done prior to 31 December, rather than after.

Before we go to our final questioner, who will be Giles Watling, because I am conscious of time—I know you have a 4 o'clock, so I am aware of that— if I can just ask you a simple question. On creative workers and cabotage, two issues that we are most preoccupied with, which Government Department, apart from DCMS and Transport, do you know are involved in this? Are there any others that you are co-ordinating?

Lord Frost: It is DCMS that is co-ordinating the activity on this point within our overall framework, but obviously the Home Office and the Department for Business, Energy and Industrial Strategy, as the main representative service providers, are involved in the overall process. Those are the core Departments who have an interest.

Q281 **Chair:** When Caroline talked about the sign-off across Government, it goes through Home Office, Department for Business, Energy and Industrial Strategy and DCMS with yourself co-ordinating all that. Is that right? Is that fair?

Lord Frost: Those are the Departments that are most interested in this issue, yes.

Q282 **Chair:** Will they just sign off what is relevant to them, or will they sign off on the whole thing? You have a deal, say, with Spain for not just cabotage but for the position with visas. Will everything go to individual Departments, or will they just sign off on their individual area of competency?

Lord Frost: It is a bit more complicated than that. As you know, co-ordination within Government has its processes but, equally, some of these things are separable. If we are able to agree a cabotage arrangement, that is obviously separable from visa and work permit agreements. If we are able to agree something with Spain, for example, that does not have to wait on arrangements with anybody else, so that is the situation. We will wish to proceed bit by bit and if we can agree things, the lead Department on whatever issue it is will have the final say.

Q283 **Giles Watling:** Thank you, Lord Frost, and Minister Dinenage for coming today. It feels like the performing arts are being left behind again. We know that they are going to be the last back in after the pandemic, because of the nature of the performing arts. It is a really tough call and when we came to negotiate our way out of Europe, we knew it. I am the man that Clive Efford described. I once was that man who used to tour Europe and I am that man who was left behind and I do talk regularly to people who are in that boat who want to get back out there and set up productions and get moving.



I would like to cite one example. We keep talking about the 17 of the 27 member states where some touring activities are possible without needing visas or work permits, but there are time limits. There is an example of the National Theatre's previous European tour of "War Horse". It spent four months in Amsterdam and then went to five other cities within the Netherlands before going to Germany. Its plan for the next world tour, for the UK cast and crew, is to spend a minimum of 30 weeks in the EU. All that is now in doubt. What are we going to do about this? We have to kick down doors, surely, and make these arrangements as soon as we can because Rome is burning.

Lord Frost: As I have said, we are trying to do the best we can to encourage member states to change and relax their rules. I am sure we will be able to make some progress on that, but the reality is that free movement has ended. We have left those arrangements and it will be different.

Giles Watling: I get that, but we need to move on from that.

Lord Frost: The EU has to work with us to get the best arrangements within that.

Q284 **Giles Watling:** I agree, and I understand that, but I want to know exactly what we are going to do to move on. We have talked about your meeting with Elton John. You must be talking to other representatives from the creative sector telling you about the implications of those time limits I was referring to. What are they saying? Are they coming back to you? Are you getting information from those people?

Lord Frost: A lot of that work is done directly by DCMS and its working group that works with the industry. That is how it works, and it is their job to talk to stakeholders. Obviously, I do from time to time. When I do, I definitely get the same sense of concern that has come across in this Committee. I absolutely get that. We all get that, and we want to improve the situation. But the best way of improving the situation is to work with us to encourage other Governments to change their current arrangements. We are not going to be able to go back to a situation where there was freedom of movement. That question is settled, and it has to be resolved in a different way.

Giles Watling: But specifically on time limits, which is what I am talking about, can you reassure people that the UK Government are going to negotiate to remove any time limits for how long creative workers can spend in EU or member states?

Lord Frost: It is common to have time limits. Indeed, I think we have them ourselves in our own arrangements in a slightly differently structured way. I think that is reasonable. We have quite generous time limits. Some member states do, and others do not. Where they are very restrictive, obviously we will be trying to improve them, but we do not believe that, in principle, a time limit is an unreasonable thing because we have such time limits ourselves.



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Q285 **Giles Watling:** A final question about cabotage. Once in another country's territory, trucks can undertake up to two additional movements I understand, with a maximum of one cabotage movement within a seven-day period. This makes touring between the UK and the EU impossible. What is your preferred solution?

Lord Frost: Sorry, I don't want to pre-empt Department for Transport Ministers, who I know are putting out a consultation with some ideas on this very soon, so I think I do have to leave that to them.

There are potential solutions. As I said, we put forward a relaxation of these rules in the negotiation and it is a great pity that we could not agree those.

Q286 **Giles Watling:** Can you answer one more question on this: why are car transporters exempt from the new rules but touring vehicles are not?

Lord Frost: I would have to check whether that is factually correct. I am sure it is a question that probably DfT Ministers could answer better than I can. This is an extremely technical area.

Giles Watling: It just seems that, again, the performing arts are being left behind but, thank you, Lord Frost, and thank you Minister Dinenage. Thank you, Chair.

Chair: Thank you, Giles. That concludes our session for today. Thank you very much for joining us, Lord Frost, and Caroline Dinenage.