



# HOUSE OF LORDS

## Justice and Home Affairs Committee

### Corrected oral evidence: European Travel Information and Authorisation System

Tuesday 2 November 2021

10.30 am

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Members present: Baroness Hamwee (The Chair); Lord Blunkett; Baroness Chakrabarti; Lord Dholakia; Baroness Hallett; Lord Hunt of Wirral; Baroness Pidding; Baroness Primarolo; Baroness Sanderson of Welton.

Evidence Session No. 1.

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Questions 1 - 22

Witnesses

**I:** Tim Reardon, Company Secretary and Head of EU Exit, Dover Harbour Board; John Keefe, Director of Public Affairs, Getlink; Gareth Williams, Strategy Director and Company Secretary, Eurostar.

#### USE OF THE TRANSCRIPT

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

## Examination of witnesses

Tim Reardon, John Keefe and Gareth Williams.

**Q1 The Chair:** Good morning, everyone, and particular welcome to our witnesses.

Some housekeeping points first. We have particularly been asked to keep face coverings on when we are not speaking. That may be awkward for our witnesses. You are in a part of the room where there is less of a concentration of people, so it is up to you because I do not want to stop the evidence if you are not able to speak clearly.

There will be a transcript taken of this evidence and it will be sent to you for any corrections that you may want to make. If there is anything that there is not time for you to say or that you wake up and think about in the middle of the night in a few days' time, please let us have it.

We are looking forward to the benefit of your evidence on an area where we have not heard evidence other than a brief exchange in committee with the Home Secretary and correspondence with the Home Secretary, which is on our website, and I daresay you are aware of that. Welcome to Tim Reardon, the head of EU exit at the Port of Dover, Gareth Williams, Eurostar's strategy director and company secretary, and John Keefe, director of public affairs at Getlink, which we know as Eurotunnel.

The two arrangement systems that we are talking about are the EES, the Entry/Exit System, and ETIAS, the European Travel Information and Authorisation System, which are to be introduced. For those who are coming new to this—and I find that among the public almost everyone says 'What?'—I understand that it has been arranged with Mr Reardon that you will give us a brief explanation of the proposals. I have given the acronyms. Over to you.

**Tim Reardon:** Thank you, Chair. I am delighted. Thank you for the invitation to come and give evidence today. I am company secretary and head of EU exit at the Port of Dover and this is a key issue for us as we look ahead to the next stage of changes to border controls now that the UK has left the European Union.

We are looking today at two elements. The first, as you say, is ETIAS, which is essentially, for practical purposes, an equivalent to a visa. It is not called a visa and it has a different status in law, but the practical effect is the same. Anyone wishing to go to the Schengen area of the European Union needs to get permission from the European authorities beforehand in addition to having a passport. That is the ETIAS permission. We expect in our context that it will be built into our ferry operators' booking systems so that to make a booking, and certainly to check in, you will need to have obtained your ETIAS permission first.

The element that is of more direct involvement and interest to us as the operator of the Port of Dover is the EES, which is the European Entry/Exit System. At heart, it is a new biometric entry control and exit control targeted at non-European nationals. In addition to carrying a passport and in place of the current process where a French

passport officer will look at you and look at your passport and check that they match and, if they do, will let you in or let you out, an automatic biometric process will be alongside that. A unique body feature—a face or a fingerprint—will be captured electronically and will then be compared in reality against the record each time you try to cross the frontier. It is equivalent to what happens at an e-gate now and similar to what happens on entry into the United States when you are asked to create a fingerprint record at the immigration officer's counter.

The challenge in our context is that in all those environments where biometric controls happen at the moment, whether an e-gate or a fingerprint reader or previously an iris scanner that the UK authorities had, individuals passed through the frontier one at a time and on foot. In our context, virtually everybody crosses the border in a vehicle and in a group. There is no such thing as an e-gate for a car and there is no such thing as an e-gate process for people travelling as a group. They are all one-at-a-time processes. There is a mismatch between the concept on which biometric controls as they exist now have operated and the way traffic moves in our context. In our context, almost everybody is in a vehicle and there is no way yet of doing a biometric control on a vehicle without getting people out of the vehicle. That is one thing on our site that cannot happen because it is in the middle of live traffic. It is the equivalent of asking people to get out of their car at a motorway toll booth. It is fundamentally unsafe and cannot happen. The challenge is to find a way of squaring that circle and matching those two incompatible concepts.

**Q2 The Chair:** Coming back to the two new processes, they are both about control. EES is the recording and ETIAS is the authorisation. That is the way to distinguish them. When are you expecting the systems to launch? The answer may be that you do not yet know. Where will the launch have an operational impact particularly? Do you want to keep going, Mr Reardon, and then I will come to the other witnesses?

**Tim Reardon:** Thank you. No fixed date is set for the launch of EES. The individual piece of European law is written in terms of it starting when everybody is ready. There is a target, which we understand is May next year. Whether that target is realised will depend on whether all EU countries are ready.

**The Chair:** 'Everybody' is the EU, not the bordering countries?

**Tim Reardon:** Correct. It is supposed to be introduced all at once at every point of entry to the Schengen area of the European Union. It will apply in all of these places. At every place where somebody enters the Schengen area of the European Union from outside it, there will be an impact.

In the context of most travel to France from here, the impact will be on arrival in France at French ferry terminals because the French controls are there. In our context, because of the juxtaposed controls treaty, which in our case Lord Blunkett signed back in 2003, the French immigration control is on UK soil in the Port of Dover, so the practical impact will in our case be felt in the Port of Dover rather than on landing in France because the French immigration control is carried out prior to travel.

**Q3 The Chair:** Mr Keefe, perhaps you would like to say something about any transitional measures and how entry into the UK might be affected?

**John Keefe:** Thank you, Chair. In the first instance, the important point to make is that the Eurotunnel works on a similar model to the Port of Dover in that we have the juxtaposed controls inverted so that our controls are inside the terminal. People have gone through the UK outbound controls and then encounter the French inbound controls about 100 metres further along. Any disruption to the French inbound controls has an immediate knock-on effect on traffic in minutes.

On the inbound side, a similar structure exists. People will go through the French outbound controls and then through the UK inbound controls in the same terminal. The French outbound controls are positioned close to our check-in, so, again, any disruption there would have an impact immediately on the check-in and then on the motorway on the French side.

In the provisions for enrolment, any travellers in France at the time that the regulations come into force will have to enrol on the French side before they leave the country, so there is a consequence in terms of the impact on flows into the UK from the introduction of the enrolment process.

**The Chair:** Have you had any discussion about transitional measures or, as it will all come in with a big bang around the whole of Europe, will there be none?

**John Keefe:** So far, we have been able to have discussions on a local level with the PAF, the *Police Aux Frontières*, who will be applying the regulations. The concentration of those discussions has been around the process of enrolment. The process as set out requires that it is done in the presence of a border officer. The move towards smart borders that we hope to achieve in the coming years is more about enrolment in various different schemes, electronically, at distance. If we can move to something like that that takes the enrolment moment away from the terminal, then that can be achieved. But at the level of the French local administration, they have a clear responsibility, described as a *responsabilité régalienn*e, which requires them as the only authorised body to monitor the enrolment into the scheme. All the discussions with them are about how that could be managed in real time. The only proposals put forward for managing it in real time are an enormous expansion in the number of people conducting border controls and an enormous expansion in the number of available booths, neither of which is possible in the space constraints of the Channel Tunnel.

**Gareth Williams:** I have a few comments on timing. As Tim said, the original time set was for next May. Our understanding is that is likely to be delayed and a meeting in December may set a new date. Nevertheless, our overall concern reflects that of Tim and John that this is coming at us fast in an underdeveloped way and, whatever the timing, we do not currently see a practical solution.

It will impact at all of our stations. It is an Entry-Exit System, so people travelling back to the UK through the juxtaposed controls in Paris-Nord or Brussels Midi or

Amsterdam will also have to register their exit, but the impact will fall disproportionately at St Pancras in London because the predominant number of first-time entry to the Schengen area happens there. We estimate that if we take the peak of August, which is when we have the most likely first-time travellers on peak trains, up to 80% of people will have to go through the system. We do not have the challenge of people being in vehicles but we do have an extreme space challenge. The juxtaposed controls are a matter of feet apart at St Pancras, Paris-Nord and elsewhere.

It is difficult to get accurate information about the processes and timings of this. We are engaged with the French authorities in trying to understand and model. But as John was saying, one concern here, which is particularly driven by the need to take a fingerprint biometric, is that the transaction is intended to be done almost wholly at the border line itself under supervision. That goes in a different direction from what the UK is looking at for its future border strategy, which is about moving much more upstream. That puts on the pressure.

When we looked at this, we took some data that we had seen from airline trials on this and we applied it in a crude way to the numbers we saw at peak times through St Pancras. That suggested that at a minimum we would require over 30 kiosks, which is the intended way of doing this registration, and an area about the size of the entire area in front of our current check-in position at St Pancras, again, to handle the Entry/Exit system. There are obvious constraints in the availability of that space and the workability in terms of sequencing.

**The Chair:** Is that space where passengers are queuing to go through?

**Gareth Williams:** Yes. You cannot just replace the space that is there at the moment and repurpose it for this because, once you have done the EES process, you then have to go through the normal process of border crossing in any case for which that space is being used.

**Q4 Lord Hunt of Wirral:** It is fascinating. Even if this meeting in December fixes a new date, we are still looking, presumably, at next year. We have heard the figures: 80% of the peak in August, 30 kiosks and so on. How many people do you expect will need to register in the Entry/Exit System on UK soil? Can you talk us through the steps that they will need to go through after the launch of ETIAS and of the Entry/Exit System, please?

**Gareth Williams:** I will provide some numbers for us and then perhaps hand over to colleagues.

Again, we expect the peak demand to be during August because that is when the mix of travel involves most leisure travel coming into Schengen. In a peak hour during August, a bit over 1,800 passengers will go through. About 1,500 of those would be required to go through the EES, of whom about 830, we estimate, would be first-time travellers. Some of that is uncertain because it is not every non-EU

passenger. It is those who do not have a long-term visa or residency, so take off a bit for that, but those are the kinds of volumes.

Although that is the peak hour, the next 40 most busy hours are similar to that one. It does not move. Although that is August, at least one day is like that every month. The issue is fairly spread across the 11 million passenger journeys that we are dealing with every year prior to the pandemic.

**Tim Reardon:** Our tourist traffic is particularly seasonal passing through the port. Essentially, it is holiday traffic, so the traffic volumes are driven by the school holiday and public holiday sequence. Three years ago, 40,000-odd tourist passengers passed through the port on the Saturday at the start of the October half-term. It is a fair assumption that the majority of those would be non-Europeans going out and the majority of those would probably be passing through EES and the European passport control for the first time since introduction so would have to register. On a summer weekend the figure would be three times that. On a cold, miserable midweek day in early December, traffic volumes would be much less. It is seasonal traffic. Pre-registration would be difficult because of the numbers involved during holiday time.

In addition to pre-registration and pretravel enrolment, which is clearly a challenge, we do not yet know what the biometric control process itself would be on arrival at the border because the idea of pre-enrolling is to create a record that is then checked by some kind of process when you arrive at the frontier to pass through it. That key definition of how a biometric entry control will be performed on groups and vehicles is missing.

**Q5 Lord Hunt of Wirral:** Mr Reardon, moving aside from vehicles, thousands of people passing through Dover will board ships, whether it is a Fred. Olsen down to Spain or whatever. Can you talk us through the steps that they would have to go through before boarding the ship? Can you negotiate with the cruise liner to help you in the steps that will take place? Dover is quite a centre for those cruise ships.

**Tim Reardon:** It is popular. It looks great in cruise line brochures because you have the White Cliffs and the castle. It is an iconic England scene, which sells to overseas passengers.

To be honest, there is not a problem with them because the juxtaposed control applies only to the ferry traffic. For anyone travelling on a cruise vessel, the EES biometric control would apply on landing in the European port, so it does not bite in Dover. It is only in relation to the ferry traffic that there is a practical, real and immediate issue on UK soil.

**Lord Hunt of Wirral:** Back to the vehicles, then. What steps will people have to go through?

**Tim Reardon:** That is unknown as yet. It is unknown how they will register. It is unknown where they will register. It is unknown how they will pass through the

frontier control once they have registered and arrive at the French immigration checkpoint.

**Lord Hunt of Wirral:** Presumably you are talking it through with those who will eventually agree whatever system is put in place. Are you putting forward suggestions that would minimise the difficulties?

**Tim Reardon:** Conversations are a bit sketchy at the moment, if I am honest, and they are few and far between. We would like to have a conversation involving those responsible for the design of the French processes and those who represent the UK Government as their hosts here in the UK under the juxtaposed controls treaty to start from first principles and work out how to do, if it is possible, a biometric control on vehicle traffic and then devise a plan for its implementation. At the moment, there is simply a legal text that talks about what data must be registered and how that moves around an IT system. It does not define the practical process.

**Q6 The Chair:** I can put it in a different way. I should not put words into your mouth but you are putting it delicately. Is it right to say that there has been a lack of consultation on the part of the various authorities and the Government and you would appreciate being involved in planning for this?

**Tim Reardon:** We would appreciate that.

**The Chair:** I have stopped Mr Keefe saying anything.

**John Keefe:** I support everything that Tim has said on that piece. To go back to the numbers, we carry something in the region of 11 million passengers per year, the majority at holiday times, weekends, half-terms, Easter, Christmas and the summer. On a peak summer day, we carry something in the region of 600 cars per hour and approximately 2,500 passengers. We think that somewhere in the region of 65% to 70% of those will need EES certainly the first time around, which means processing 1,600 or 1,700 people per hour for the first time.

That is an impossible task in the space that we have available. Tim has already described the absolute impossibility of taking those people out of cars in moving traffic lanes.

It is interesting and important that the people who travel through the Channel Tunnel are not always the same people. There is a renewal every year, which can be up to 50%. We could be having to process in the first year some 7 million or so people and in the second year 3.5 million. It is not one shot. It is a continuous process. Of those 7 million who get processed in the first year, if they do not travel to Europe again during the next three years, they will have to re-enrol. We have a continuous process, which, as it is set out, all happens at the point of maximum disruption, which is at the frontier post physically at the terminals.

**Q7 The Chair:** We have been talking about passengers. In the case of freight drivers and ferry crews, will it be a one-time process that will not bother anyone?

**John Keefe:** It is very bothering at the moment because it is not clear. We certainly hope for that, but in discussions we have had with both Governments about previous new border measures at their point of introduction that has not been the case. The first approach has always been everybody every time they cross the border.

**Gareth Williams:** That has been explicit in our discussions. It goes back to some of the questions you asked about the process. We know it involves the registration of a travel document, then a facial biometric, then a fingerprint biometric and a questionnaire that then establishes the dossier and then you move on to the border crossing. We do not know the detail of that because the kiosk in which this is happening is being specified by the control authorities, but we do have a sense of the timings that have been shared. We expect that process to take an average of 92 seconds for a first.

I get a bit wary about people quoting averages because I suspect that the people calculating the outliers on this have not met some of our passengers. They certainly have not met my mother.

We are also told that on each subsequent journey, as John was saying, people will have to go back through the kiosk process, which for a second or repeat traveller is likely to take 50-something seconds. Again, this is about trying to take some of the time pressure that would otherwise fall on the control booths were that to be a wholly manual process. The understanding driving that repeat process is to alleviate the pressure on the manual booths, though even with that we do see some indication that the transaction time at the manual booths will increase as well. Again, limited space is available for us to provide more booths, even assuming we get more PAF officers to man them.

**Tim Reardon:** The one saving grace in relation to freight traffic is that the overwhelming majority of drivers hold European passports rather than UK ones, so they are not subject to the pretravel enrolment element of EES. It remains to be seen what, if any, changes are made by the French passport police to the actual transaction when they get to the French kiosk as a European passport holder. But the pre-enrolment element of EES is, for us, largely an issue for our tourist travel, where the majority of travellers are British rather than European. That dynamic is reversed in the context of freight traffic.

Q8 **Lord Blunkett:** My contribution is a follow-through because with the Chair and Lord Hunt we have explored graphically—and I am grateful to you—what the challenges are. I will ask my wife to explore her heritage with the Republic of Ireland. Mine probably goes back to the Huguenots, which makes it rather more difficult to get joint citizenship.

I am getting a picture of the situation at St Pancras in terms of the fallout. A friend who is part of the UN delegation to COP 26 was telling me at the weekend of a three-hour wait in the rain to register. I am beginning to get that picture in terms of St Pancras and its juxtaposition to Kings Cross and Paddington. The traffic is already

chaos, as you well know, around there.

I am getting slight confused about Dover-Calais. I know it well because of my past experience with this, but we cannot back people up like we can with HGVs up the M20 because people will be caught between the two zones. You described graphically the situation at Calais where people will be caught between the two. Is that correct as an initial question?

**John Keefe:** Thank you, Lord Blunkett. If I can explain from the Eurotunnel perspective, because we operate terminals on both sides of the channel, on the UK side, as passengers come off the M20 motorway into our terminal, they go through our check-in for the financial transaction, they go through the UK outbound exit check and then they go through an EU-Schengen inbound check. That is the order of controls they go through. The gap is about 200 metres between our check-in and our exit checkpoint and then a further 100 metres to the EU-Schengen inbound controls. There is a space of 200 to 250 metres for 600 cars per hour to go through on a summer's day.

The risk is not within the terminal; it is what happens when the enrolment is happening at the French booths, which blocks the exit check booths for the UK, which in turn blocks check-in and then creates queues leading up to the check-in that back up on to the motorway. That then puts static passenger traffic on the high-speed motorway.

**Q9 Lord Blunkett:** In that zone, it is not just queuing, though. There will have to be a facility for the check-in process and the verification process because we have more than one process here. People may well be able to register at the time they book and go through some of the process, but the actual verification will have to be done in that control zone area. Is that right?

**John Keefe:** That is correct, yes. We hope that most of the enrolment could be done online. As with most data entry, people have their passport numbers, addresses, phone numbers and email addresses to hand and could probably put these in at home. Facial recognition is now possible using smartphones but fingerprinting perhaps needs controlling directly or perhaps not. It will be interesting to explore that further. Those processes, for us, are essential to be done upstream. The more done at the point of maximum congestion, the more congestion there will be.

We have been through the process in real time in Kent with the closure of the border at Christmastime last year by the French. As I am sure you are all aware, it created enormous traffic congestion. That was for trucks. For passenger traffic, we were able simply to say, 'Do not travel', and people stayed at home, but the goods that were already on the road could not be stopped and had to be delivered, so we had that issue.

This is much more an issue for consumers. This is the travelling public at holiday times. The risk of congestion is to our motorways, to the M20 as far as the Channel Tunnel is concerned, and quite probably to the A20 and possibly the A2 as far as the Port of Dover is concerned. Once all those areas are congested, Kent becomes

impassable in the same way as it was with Operation Stack in the past and the closure of the border last year. Managing professional truck drivers is relatively straightforward. They are, in the main, obedient. They understand the way that congestion can happen and will follow instructions. Managing passenger vehicles and individual consumers when they have an imperative, 'We must get there', is a completely different kettle of fish. They disobey rules quite happily and will leave the motorway and look for alternate routes, which they will then congest. We will quickly have a widespread issue in Kent.

**Lord Blunkett:** They have children with them, of course, as well, to add.

**John Keefe:** Children, grandparents, dogs.

**The Chair:** Mr Williams's mother.

**Baroness Chakrabarti:** She makes another appearance.

**John Keefe:** She does not travel with us, fortunately.

**Lord Blunkett:** Thanks, Chair. I think we have the picture. What we will do about it is another matter.

**The Chair:** You have explained that certain procedures have to be undertaken by EU officers. You have probably answered the question about extending the control zones in which they can operate and what that would require practically. You cannot quite know but you anticipate that it will be a great deal.

**Tim Reardon:** Our issue, Chair, is that we have the White Cliffs on one side and the English Channel on the other and a small piece of reclaimed land in the middle and that is full.

Q10 **Lord Blunkett:** To follow through, we have the ETA coming in as well and the argument over that is that people are used to going to the States and going through the process. It is quite some time because of Covid that I have been to the States but, when I have been there, I have found the process extraordinarily cumbersome. As Home Secretary, I was told that most of it was irrelevant because they did not have the capacity to properly process it. Computers have improved. We are going through a bureaucratic process to show that the process has been completed. That fingerprinting ends up, even in the airports in the States, with enormous waits. You described 15 seconds for presenting and I can see when people are presenting a visual, either in print or on their phone, recognition of what they have been through, but can fingerprinting slow that down still further? Can one of the three of you clarify about that process?

**Gareth Williams:** That is key here. The fingerprinting is also driving, in my understanding, a lot of why this is happening at the border. It is possible to do an IATA standard facial recognition check on a mobile device. Later this month in St Pancras we will trial an entirely biometric check-in and UK exit system, supported by UK Government innovation, which does all of this upstream using the same tech as

the EU registration process. But it is not possible to do an IATA standard fingerprint check on a mobile device at this stage. Our perception is, because the fingerprinting needs to be done under supervision on a required standard of technology, the whole thing has become wrapped up in doing it at the border. You get a kind of playing of tennis across the net between the Schengen member states and the Commission. The member states are saying, 'Our hands are tied'. As John explained, the regulation requires it to be supervised at the border and we must do that. The Commission says, 'The regulation is written now and it is for the member states to implement', and there is a bit of passing it back and forth. Any kind of solution here needs to be focused on the ability to move as much as possible upstream in much the same way as you mentioned the ETA and the way the UK Government are starting to look at it and to minimise that point of contact at the border.

**The Chair:** Lord Blunkett has mentioned the United States but the numbers are different. As I understand it, in 2019, before Covid, it was approximately 5 million visits to the US and getting on for 67 million visits to the EU.

**John Keefe:** Of that, Chair, we carry approximately 11 million each.

**Gareth Williams:** It is 11 million for each of us and you run a few million.

**John Keefe:** Yes, so half of that goes through the short straits.

Q11 **Baroness Hallett:** Most of the questions I was meant to ask you have been answered. As I live bordering Kent, I may be planning to move. If you can do everything in advance or most of it in advance, will this be utter chaos for poor Kent for a couple of years or will it keep going on and on unless we get a proper system that we can all live with?

**Tim Reardon:** The challenge is twofold. There is no good reason why the pretravel enrolment process cannot be done well upstream. The immediate obstacles are, as Gareth has said, a requirement to take a fingerprint when there is no technology to do that at home at the moment and, secondly, the line in the law that says the registration must be supervised by a European passport officer. There must be a way of finessing that.

The real challenge for our operation is that there is as yet no definition for how to do a biometric passport when a vehicle turns up at the checkpoint. That checkpoint process needs to be bottomed out to ensure that the traffic can continue to flow.

Q12 **Baroness Hallett:** That would continue over the years. Even when everyone is registered, you will still have to ask how to find my eye print or my fingerprint or whatever at the border.

**Tim Reardon:** Absolutely. We are talking at the moment about a French process. The UK Government have committed themselves to biometric controls in their long-term border strategy. They similarly need a definition of how to do that for people in cars and people in lorries. People in coaches get out and walk through a coach hall. A handful of pedestrians will walk past a kiosk. That is straightforward. But

what do you do with a family in a car in an environment that is equivalent to a motorway checkpoint? We cannot have them getting out. We have a concern that in the absence of a clearly defined, proper process for cars and truck traffic, someone somewhere may come up with the default option that everyone has to get out because they do at airports, which would be dangerous in the context of our operation, potentially to the point of stopping the traffic.

**The Chair:** Border officials do deal with people in cars not just through a kiosk window or whatever. I have been through the border when the steering wheel has been swept for drugs, I assume—none found—so it is not impossible. I am sharing the concern that has been expressed, but it is right to test you a bit on this. It is not impossible for officials to be around a car and dealing with things through a window.

**Tim Reardon:** Correct. If a car is pulled offline for a customs examination, that is exactly what happens. The car is taken into a safe, secure shed where there is no moving traffic and where customs officers can do whatever rummaging they wish to do in the car. If they want to get people out of the car, they can. But the passport checkpoint is in an environment equivalent to a motorway toll booth or indeed a carpark payment booth where the same dynamic applies. Traffic is moving on one side of the car. The kiosk is on the other. It is not safe for the passengers to get out of the car in that environment and it is not safe for the immigration officer to come out of the kiosk. Yes, there are pull-in bays, but those are predicated on a small percentage of the overall traffic flow being pulled aside for an examination and they can cope with a small percentage of the traffic flow being pulled aside for an examination. But the routine process through which everybody goes is the passport examination process through the window.

Q13 **Baroness Hallett:** Are we the only country bordering Schengen that would have this kind of impact?

**Tim Reardon:** On this side of the Schengen zone, yes. The same issue will arise everywhere on the eastern frontier of the European Union where there is a motorway crossing.

**Baroness Hallett:** Do they have the same volume of passengers that your three organisations are talking about?

**Tim Reardon:** I do not know, I am afraid. Logic says they should.

**Baroness Hallett:** I am wondering why other countries are not also complaining about the impact.

**John Keefe:** One of the reasons is the flow of holidaymakers tends to be north-south. Some 85% of the passengers who use the Channel Tunnel come from an address in the UK and flow into southern Europe. The movements in the other direction from poorer eastern European countries are lower than they are from the UK into the EU.

**Lord Blunkett:** Interestingly, they have flows on a daily basis in terms of employment. It will be quite interesting if we can find out what on earth they are thinking of doing to avoid those daily checks.

**John Keefe:** If I might continue, Chair, as Tim explained earlier, the Channel Tunnel, like the Port of Dover, is squeezed between the structure of the White Cliffs—they are green on our part—the motorway, the High Speed line and the town of Folkstone. The room to expand is limited.

We have experienced over the last two years the introduction of additional health measures at the border, which of course have been introduced in both directions. We have seen the strain that puts on the border authorities when they have to increase the amount of control they are required to do. Even with the low volumes of traffic that have been going in and out of the UK over the period of the Covid crisis, we have seen that the border authorities have struggled, not just on our own terminals but also at airports, to manage those controls as part of a fluid process. When you stretch the authorities, staffing levels are put under pressure and their technology is put under pressure and that becomes a problem in its own right. We are seeing a lot of the symptoms of what might happen in real time and we can play them into what could occur in the future because of this experience we have had with Covid over the last couple of years.

Q14 **Baroness Hallett:** I have one another question about what changes we could make or what we can do. You talked about the pilot at St Pancras. Are we trying to develop technology that we could potentially persuade the European Commission to implement?

**Gareth Williams:** Absolutely. I am speaking in a passenger context here and so I do not have the additional constraint of vehicles, but to describe what happens, you use the RF reader in your mobile phone to scan the chip in your ticket and the machine-readable zone in your passport and you take a selfie. It securely reconciles your passport photo and the photo you have taken for likeness and establishes who you are. You can do all of that on any mobile phone anywhere and it has the same security standards as going through a passport gate. At that point, you go up to the control at St Pancras and smile at the camera, you are checked in, have exited the UK system and you are through.

It would be easy to add to that the supplementary French entry check. If we take a step back, we are talking a lot about EES and we are talking a lot about ETIAS. All countries are trying to digitise and evolve their frontier systems. Juxtaposed controls have been incredibly effective. It is the best solution for passengers and the authorities. It is fast. Once you are through, you are through. It is secure. Even in the complexity of the Covid controls, we have not had a single carrier's liability fine. We have had over 99% compliance because of that ability to test at the border. But they were designed 15 years ago in a world that was very manual. There is a logical evolution where you take a railway station shed with two officials checking passports and you replace it with a gate carcass or a camera with two legally

separate and sequential controls done by microprocessors. If you are through, you are through. If you are not, you are not.

At the moment, a general discussion is not happening between the Governments concerned about how they are each intending to evolve and develop those controls. That is not to tread on anyone's ability to make sovereign decisions about the types of controls they will operate, but this system operates in an integrated way for passengers as they are going through and there needs to be that dialogue about how it will evolve. To take one example, everyone is likely to work off the same basic data, the eight standard fields in a passport, but how you are authorised to collect that data can make a huge difference to the efficiency and the passenger experience. If one side is saying, 'It needs to be done at a kiosk here', and the other side is saying, 'It is upstream', one side is saying, 'You have to use this app' and another side is saying, 'You have to go through the internet portal' and there are repeat transactions of that, even though everyone is essentially doing the same thing, it can make a huge difference to the efficiency of the outcome.

Coming out of this, we would want to push for the establishment of that kind of dialogue about the bigger picture of what is next for the future of juxtaposed controls, of which this is part.

**The Chair:** It all depends also on the accuracy of the technology. We are doing some work about the use of technology in a different context.

**Gareth Williams:** Absolutely. The pilot we are about to do at St Pancras is using the same basic technology as the EU registration scheme, which has had 4 or 5 million transactions so far and to that same basic assurance level. You can dial up or down the assurance level. You can dial up the accuracy requirement or otherwise on this and effectively set it at a standard that you are comfortable with for that kind of transaction.

**The Chair:** I understand that Eurostar has been doing some work on impact with the French authorities. It may be too soon to share anything or, indeed, you may have incorporated it in everything that you have been saying.

**Gareth Williams:** It was essentially the data that I was reporting. There is a lot of uncertainty around this, so I do not want to treat numbers as gospel, but there should not be this much uncertainty this soon towards the implementation. That is a broad point. We are currently continuing to work with the French authorities in an engaged and constructive way about trying to agree the appropriate assumptions to make and to get a common set of modelling outcomes so that we then can start to take some sort of fact-based decisions and look at the options. It is work in progress right now.

Q15 **Baroness Sanderson of Welton:** I was going to ask you about how the disruptions could be mitigated, but we have clearly established that that is the problem. How do we mitigate them? There are not the solutions as yet, but this is coming.

It has struck me—and you have covered this but to emphasise—the lack of dialogue

that you have mentioned is striking, Mr Williams. Also, Mr Reardon, you said that actually we need conversations with those designing the process. In terms of where we go now because we have to find solutions, can you talk a little bit about establishing that dialogue, how that is best done—clearly, that is missing at the moment—and how we should proceed diplomatically? Are there things we could be doing to create a better conversation to mitigate some of this?

**Tim Reardon:** The framework for the conversation, I suggest, is the treaty of Le Touquet, which provides for the French passport control to be here on UK soil and provides for the UK passport control to be on French soil. That provides the intergovernmental connection on which to build the conversation about, as Gareth was explaining, how to take a controlled design for a manual environment from 15 years ago to where Governments want to take it now.

At the Port of Dover, we have the French frontier police on our site. They are not our guest; they are the UK Government's guests. What they want to do on our site flows from that agreement with the Crown—that is where the point of connection is. Yes, if they have a day-to-day management issue, or if they find a mouse in their kitchen or something, they will talk to us about that. But if something fundamental about the control has a material impact on the viability of the juxtaposed control itself, that conversation needs to happen within the framework of the treaty that provides for them to be here and do it on UK soil.

**John Keefe:** Could I interject on one thing, as a point of precision? For the Channel Tunnel and Eurostar, the treaty of Canterbury covers our juxtaposed controls. Two separate treaties need to be considered while we are talking about this.

**Baroness Sanderson of Welton:** Do you feel that, because you are doing the internal simulations, there is enough of a channel to feed in the findings you have done so far to future work?

**Gareth Williams:** Yes, we are getting there. We recognise that we have a strong part to play in this as well; we are not sitting back and asking someone else to solve the problem for us. We have been engaged, at both a technical and a policy level, with the French authorities and also with the Belgian and Dutch authorities. That is driving this work, to try to get a detailed and accurate model of what happens at the station.

We need to broaden the engagement within Schengen to include the European Commission, although it says that the regulations are set and there is this passing back and forth. It is quite common for the Commission to clarify in guidance the flexibility available under the regulations. That has to be a part of entry as well.

We need that engagement, and support above and beyond our efforts, for two reasons. First, as Tim has described, it is not our station; we do not control the control zone within the station. We can talk about our experience of operations, the processes that are required, how best to manage it, the impacts and so on, but,

ultimately, we do not own the facilities or the control centres. There needs to be engagement at a treaty level and a practical level.

Do not get me wrong: this is a Schengen imposition; it is a Schengen requirement. But it will happen on UK soil and it is therefore de facto a shared problem. Our ability to find a solution to that problem, whether it is with the member states or with the Commission, will be that much stronger if it has the weight of official and government support behind it as well.

**The Chair:** You have mentioned engagement with the French authorities, the French Government, the Belgians and the Dutch. Are they engaging with the UK Government and with the UK authorities?

**Gareth Williams:** We have not seen that engagement. The focus for us is with the French authorities, because they manage the Schengen entry for all the other member states at St Pancras. We engage with the Belgian federal police and the KMar in the Netherlands still, because of the exit registration out of Amsterdam, Rotterdam, Brussels and so on. But the French are the particular point of focus, because they have that role here in the UK.

On the UK side, we have had engagement. There has been an understandable issue in all of this, both within the Schengen authorities and the UK authorities, in that everyone's bandwidth has been taken up with Brexit and then Covid. People are coming to the issue later than they otherwise would have arrived at it because of those overbearing pressures and concerns. Now that we are here, we have seen that engagement. We have had officials from the Department for Transport and from the Home Office, and of course we have a relationship with the border police. The Minister for Rail came to discuss this at our terminal. At its initiative, the Border Delivery Group also asked for a visit and came to discuss the issue as well.

I very much get a sense of rising awareness. My expectation is that the next part of the choreography on both sides will be cross-government engagement, albeit it is a pretty choppy time for that kind of engagement. Nevertheless, this is a shared issue and a shared problem, for the reasons I described. That is the necessary next step. It is not because we have been without UK engagement.

**The Chair:** Yes, the Home Secretary wrote to us and said that 'it is the responsibility of the implementation authorities (those empowered by the EU member states ... ), to determine both the infrastructure requirements and processes/procedures that result from the introduction of the EU's ETIAS and EES systems. Where these may eventually be carried out within control zones in the UK at locations with juxtaposed controls, existing international treaties between the UK and our international partners set out what we should collectively agree and determine the requirements.' It says that on paper.

Q16 **Baroness Primarolo:** In previous questions we have covered what I was going to ask. You have put before us today the need for mitigation to prevent horrendous disruption. I have been at St Pancras—and have not been able to get through—

when the queues were backing up right the way through the terminal because there has been some problem. When going through on the shuttle, in late August, I thought about the '90 seconds'; I was kept at the UK border for longer than 90 seconds, because they wanted to know all sorts of things—I have no idea why. Then the French border control also kept me much longer. Even though the traffic flow was much less, because of Covid, there were considerable problems and disruptions. There were all different types of vehicles, not just cars but motorbikes and caravans.

Some of the mitigation you have talked about might be able to be delivered; other subjects are impossible, because of geography or whatever. I am intrigued to know who is responsible, given this hugely complex problem, for preparing for mitigation and disruption and negotiation? You talked about the French and the Belgians, and whether the EU Commission has a role and whether our Government should accept a role, and you are engaging. Strategically, should there be a responsibility somewhere for somebody to co-ordinate the sensible proposals you have put forward, if they are deliverable technologically?

**John Keefe:** Most definitely, there should be a co-ordinating role somewhere in this. It is a complicated picture, with lots of different actors. It affects everyone: it affects the person travelling; it affects the person behind the person travelling, and everybody else in that queue; it affects the operators; it affects the local communities; and it affects the Governments on each side. If nothing is done to co-ordinate it, the impacts will be significant.

In the process of the UK leaving the EU, we saw the creation of the structure of the Border Delivery Group, subsequently the Border and Protocol Delivery Group, which had a centralised function to co-ordinate all of the issues across government and across the industry, taking perspectives from all the different stakeholders, to try to deliver a border that was as fluid after the UK had left the EU as it was before, even with the requirements for additional controls in both directions. That centralised opportunity to exchange information and to analyse the difficulties that a proposal put forward was very useful.

Unfortunately, we have seen that fade away in the first part of the UK leaving the EU, as inbound controls to the EU have been delivered since 31 December last year. We are still engaged with the BPDG because, of course, the import controls into the UK are not yet delivered—they will come in from January and July next year for freight. That sort of structure seems to be the right kind of organisation, able to consult within industry, across the users and across government, and also having developed good relationships with Governments on the other side of the Channel. It needs a counterpart, and the French Government have nominated counterparts over the last few years to interface with it. A series of successful joint meetings happened last week, and will happen again next week. We definitely need something like that.

This is not a single departmental issue. It is not a single operator issue, as Tim and Gareth have said. None of us operate the border; we all operate transport

businesses. The border, border security and policing are all the responsibilities of the states between which the Eurostar—

**Baroness Primarolo:** Forgive me, but it is a Commission project for the whole community. Does it not lie with the Commission to create that environment you are talking about, where Governments can come together when relevant? Obviously, the discussions between the UK and the French are absolutely crucial. That is what I am trying to understand. I understand that there are precedents with Brexit for having key committees, but somebody has to take responsibility. Whose is it? Given that it is a Schengen requirement, should the Commission be doing this?

**John Keefe:** Absolutely. I would not dispute that in any way at all. Yes, the Commission should be doing this. Our concern is that most of the impacts will be here in the UK, and therefore we need to make sure. We need to push the Commission to deliver that, and perhaps need a higher level of engagement from the UK at this stage.

As has already been said, Covid has knocked a lot of this preparation back significantly. Now would be a good moment to engage.

**Baroness Primarolo:** You are saying that the UK Government need to try to initiate that co-ordination and encourage the Commission to facilitate the easier flow of discussions about the problems?

**John Keefe:** That would be very welcome.

**Baroness Primarolo:** That is the first thing that needs to happen.

**The Chair:** The Commission has made it very clear, as I understand it, that what happens at each border—we have one particularly relevant border—is a matter for the member state.

**Baroness Primarolo:** You also said the Commission could issue guidance that made it clearer; particularly, for example, on the fingerprinting requirement and how much can be done upstream. It is an interpretation of what has been agreed thus far through the Commission for the whole community.

**Tim Reardon:** It would be particularly helpful for the Commission—and it is reasonable for anyone to ask it—to address the issue of how its scheme operates in relation to vehicle traffic. The Commission has acknowledged that it does not, and has acknowledged that it needs to, but it has not yet found a way of making that happen.

**Lord Hunt of Wirral:** A very good point.

**Tim Reardon:** All of the documents to illustrate it have a little graphic of a person walking up to a kiosk, which is fine in that context but it does not address the challenge that we have, and it does not address the same challenge that will arise at land frontiers as well.

**Q17** **Baroness Primarolo:** Indeed, and this was the point that Lord Blunkett made.

I want to ask a final question. There needs to be mitigation. You are the operators, and what is happening will damage your businesses—let alone what it will do to Kent and everything else. Who is responsible for the mitigation if this discussion does not take place?

**Gareth Williams:** There is a system approach here. We have responsibilities as operators. It is my responsibility to set out my understanding of the operations, my data on the passenger flows, and the data I have on the number of first-time travellers and the likely number of EU entrants. It is my responsibility to engage on things like modelling to steer solutions, to communicate with passengers in due course, and to evolve my own processes and so on to best deal with this and have disruption plans in place. But it is not my responsibility to specify the equipment, to move the furniture at St Pancras station or to move the control zone.

There are many actors and many players in this, and each have their own individual responsibilities. But one challenge here, and part of what draws the UK into this, is that often the responsibility and the consequence are separate things. Although the Commission may have an overarching responsibility, it is, in many ways, more distanced from the consequences: the emperor is very far away and the mountains are very high. Therefore, the sharp motivation to engage and deal with the consequences is more diluted. That is part of what draws the UK in. Because the UK has the responsibility for the designation of the control zones, it has a locus for that engagement and discussion, but the driving force behind it will, and should be, because the disruption is likely to end up on UK soil.

That is a shared issue for the French authorities, as well. Whatever they have been set as a framework from the Commission, the consequences of that framework will bite on their citizens, because you cannot separate out the impacts of this, and on their control authorities and resources as well. As much as responsibility, there is that shared dynamic. The issues that this causes will be shared problems, and that creates a framework for what would, we hope, be shared progress towards a solution, in which we will play our full part.

**The Chair:** Would it be fair to say that you could not get far in discussing the expansion of the Eurostar facilities—I use that term broadly—at St Pancras, which would have all sorts of ramifications, or in discussions with anyone who might be able to provide land further inland to expand what is going on at Folkstone and so on? At the moment, those are big issues and big questions, with an awful lot of money involved because you do not know what is required anyway. Even starting those conversations is fairly fruitless.

**Tim Reardon:** That is precisely the position we are in, Chair. To get the discussion going, we need a definition of a biometric process for vehicle traffic. Without that, there is nothing to have a conversation about.

**Q18** **Baroness Chakrabarti:** Thank you for your testimony, which I personally found clear, succinct and compelling.

I want to follow on from this line of questioning. You told us earlier about the number of people who use your services—thousands every year, particularly at peak time—and who are affected and potentially affected. You told us about the other people who would be affected by problems on the motorway. You have been softly spoken about your business interests, and have spoken from a public service, and even constitutional, point of view. Could you spell out in outline terms how many people you employ and, in big-picture terms, what you think the impact of major disruption, or even an attack to the viability of your business going forward, would be on London and the south-east, and, potentially, on the other side of the channel?

**Tim Reardon:** We as the Dover Harbour Board employ approximately 500 individuals. A great many more people than that work on our site, employed by others, whether it is UK Border Force, our three ferry operators, those who provide services to them, or the French frontier police themselves. It is a very significant focus of local employment in that part of Kent.

The national significance is in relation to UK supply chains. We have, at the moment, in the region of 8,000 lorries a day coming through our port. At our busiest ever, we had around 10,500 lorries per day. Those are the vehicles that are bringing food to the supermarkets and medicines to the pharmacies and parts to factories. The consequences of stopping that flow are precisely the empty shelves and stopped production line scenarios that are of much broader interest; it has a much wider impact than simply localised in Kent, because, quite clearly, the UK as a whole runs on its supply chains and needs those to continue to function. That, in turn, requires the border to continue to flow freely.

**John Keefe:** To put that in the context of the Channel Tunnel, we have about 900 direct employees, but we have probably 2,500 people on site every day. We carry something in the region of £140 billion-worth of goods between the UK and France every year. That is about 26% of the trade that the UK has with the EU. Alongside the Port of Dover we provide part of an ecosystem of transport that operates through the short straits, and that brings in the just-in-time goods, particularly fresh foods and food that goes into factories that are making things that require delivery to a tight timetable—20 minutes' time. Often it is the delivery of parts into the car manufacturing sector, or the consumer goods that people order more and more frequently on the internet that come from supply depots across Europe.

The impact of any additional congestion on that route is significant. The interesting thing we are talking about at the moment is not congestion in the supply chain itself. The issue is not too many trucks turning up at one moment, or a train failing or bad weather in the channel; it is having a constant queue of passenger vehicles that obstruct the routes that all those organisations use. That is what we have been struggling to keep going over these last few years while we have been negotiating the processes needed for the UK to leave the EU and maintain that fluidity. That has been done in the context of much lower than normal passenger traffic—and we

talked about the issues that can arise with the additional checks that have been introduced for health purposes.

The combination of an ongoing health crisis environment and its aftermath—which requires health information to be checked—and the introduction of new regulations and decisions around whether it is EES or ETIAS or ETA in the future, all adds to the congestion at, as I keep coming back to, the point of maximum disruption. That then impacts on the supply chain and the economy. If we can move it away from the point of maximum congestion, it would be much better for all of us.

**Gareth Williams:** I would add one more aspect to this. As you might expect, we have similar figures for the people we employ and the business we enable, particularly in the London and Paris service industries and so on. We are of course a business under extreme pressure. We have been 95% down for most of the last 18 months, and we have had to carry that burden through our shareholders and commercial loans; I would say our credit card is maxed. We now have to repay that debt, and this kind of disruption could have a very significant impact on our ability to maintain that, and that impacts the attractiveness and sustainability of what is the sustainable alternative to air transport.

Lord Blunkett talked about checking in in Glasgow. We were very proud that, on Saturday, that we took NGOs, activists, official delegations and politicians from all over Europe via our train from Amsterdam to London and then on to Glasgow, for seven or eight times less carbon than it would take to have flown. We can take someone to Paris for less carbon than it takes to take a taxi to Heathrow. Taking us out of the equation is the equivalent of the carbon emissions at Luton airport times 30.

**Baroness Chakrabarti:** That is exactly what I hoped you would say, not that one hopes for answers to questions.

**The Chair:** We talked earlier about freight, and we will view that alongside the points you have made about overall congestion impacting on freight.

Q19 **Baroness Pidding:** Like other colleagues, part of my question has already been answered. Mr Williams talked particularly about the fact that there is a lot of rising awareness of these situations and problems we have coming down the line. My question is for all of you. Whose responsibility do you think it is to raise awareness, and how should they do that?

**John Keefe:** It is those upon whom the impact falls, as soon as they recognise that there is an impact. We have seen this coming for a number of years now, and have raised awareness with both Governments through the local contacts that we have with the border authorities and directly.

Beyond that, there is a responsibility on the Governments themselves to raise awareness with the Commission of the impact that the forthcoming measures could bring.

It is a joint responsibility. I do not think there is one single point of overall responsibility for raising awareness. It is a combined responsibility, now that we are have the knowledge, to get on and do something about it.

**Tim Reardon:** Very definitely. We spoke earlier this morning about what consultation has preceded this; the answer clearly is not enough. A requirement has been devised in one place that has an impact in a second with a consequence on a third. Clearly, all those parties ought to have been involved in a consultation process at the initial design stage. That did not happen, so we are now in a scenario and circumstance where we have spotted that there is a big problem coning down the track. We are alerting those who are in a position to do something about it to the fact that they need to do something about it to keep the border flowing freely, to keep supply chains functioning, and to enable people to take their holidays when they like to do so, and enjoy it when they do.

**Gareth Williams:** There is a timing issue with this as well. There needs to be a raising of public awareness and, again, as operators we play a part in that. But, at the moment, that is a very difficult context. The information we give and have to read out to each passenger around Covid is the length of a Tolstoy novel. It is information overload, and, in the end, people switch off. We found this a bit when there was the transition to implement the requirement to travel with a passport rather than just an ID card. Although we were communicating through every channel we had, so much communication was going on about Covid rules and other changes that people just blanked it out.

As John and Tim have said, there is therefore a particular emphasis on building up awareness over time, so people have time to absorb and prepare for this, and not just leave it to operators at the last minute. I hope that, in any joint discussions, the communications element would be part of that planning.

**The Chair:** There is not a lot of time available to build up if the timetable for next spring applies, which of course it may not.

We do not want to be too alarmist about it, but we are concerned about public awareness. Assuming that things fall into place, should it be from the operators? Should it be from the Government, with a public campaign? Should it be through everybody warning the public that they will have to go through more systems than they have been accustomed to?

**John Keefe:** Inevitably it is everybody, because the travelling public do not go to government websites first and foremost for information about how to get to their destination. We know that they will come to us, so we are very happy to be the relay for information.

However, the message itself is one that the Government need to back. If the Commission is introducing this measure for travellers from all non-Schengen countries, then any country that falls into the category where their citizens will be impacted should, I feel, take the responsibility to say that circumstances are now

different in regard to travel to this particular zone and make that information available that. We then take that on.

Gareth is absolutely right. The reading out of lengthy diatribes on what should be done when you arrive if you are coming from a red, amber, amber-plus or green country means people just switch off. Often it is far better to leave us to distil the information and to use our channels to get it to the people at the moment they will most likely respond to it.

**The Chair:** They are also going to need to be aware of what will have to be provided at an earlier date, when they book travel, are they not? It is macro and micro.

**John Keefe:** It always is in situations like this. We have to work hand in hand with the authorities.

Q20 **Baroness Chakrabarti:** Gentlemen, you may feel that you have answered this, but I will give you another bite of the cherry, because it is quite important. What support might your companies be able to provide for travellers to apply for the ETIAS travel authorisation at the last minute?

**John Keefe:** In the same way as we have responded to the Covid crisis and the introduction of the new health measures, we will put our best minds on this. In the Covid crisis, what we came up with was a passenger wallet that enables people to upload all the information they need to travel in advance of their journey.

The difference between the simple passenger wallet and the thing you have on your smartphone for putting theatre tickets and airline tickets in is that you can group it into a vehicle form so that, as you arrive at a checkpoint, you can present in a single form the information required on every passenger in that vehicle. If you turn up in a car with four people in it, typically the driver of the car, or another passenger, would have the master wallet. Everything else would be uploaded and that would then be triggered using automatic number plate recognition to alert the officer in the booth that this information is held on these people. We are working towards the smart border solution, using technology to simplify these things as much as possible.

**Baroness Chakrabarti:** You are just not in control of the border.

**John Keefe:** We are delivering the solutions, but we would like to know what the question is before we do.

**The Chair:** Not everyone is adept at using the technology.

**John Keefe:** There are some remarkable cases. We had a letter the other day from a 94 year-old gentleman who said that our passenger wallet was one of the easiest applications he had ever used. Say no more.

**Baroness Primarolo:** The wallet was excellent when I travelled through. The problem was getting all the other forms to put into the wallet—to locate a form that could be done only within a certain period and so on. Your pressure point is when

the passenger is getting ready to board—when they electronically go through the system before they arrive at the frontier—so it will be a bit late if they suddenly discover they have not gone through ETIAS and try to log on to board.

**The Chair:** There is also the knock-on effect on everyone queuing up behind.

Q21 **Lord Dholakia:** May I come back from ETIAS to ETA? In July last year, the Home Office announced the introduction and the development of an electronic system that can be used for the authorisation of visa-exempt travellers to the United Kingdom. What are you expecting from the ETA? Were you consulted on possible operational consequences, bearing in mind that the ETA in no way resembles ETIAS, or any other operational method that you have?

**Tim Reardon:** I will answer first because my answer will be really short. The impact of the ETA will be felt at the UK's juxtaposed entry controls, which are in France. We as the Port of Dover mercifully do not need to worry about that one in the way that my colleagues John and Gareth do.

**Gareth Williams:** Try not to look so happy.

**John Keefe:** We have been consulted on the introduction of the ETA. Our first response was that it looks like you are trying to do exactly the same thing as the EU is trying to do. 'Have you consulted? Will there be a discussion about how the two could be introduced in a similar manner?'

We took our conversation back to one that we started in 2010 about the creation of a simple smart border process, where information could be gathered once and then used by the authorities that needed to use it. Most times, if it is travel document information, very similar information is used by both parties. A process of preannouncing the arrival of a traveller using advanced passenger information could be introduced, and biometrics could be associated with this.

This is a discussion we have been having since 2010 with the Governments on both sides, with varying degrees of speed of progress. We are still having the same basic discussion. You want the same thing for travellers going in both directions. There must be a way of co-ordinating the gathering of information from those people, in a simple and unique format, and then it can be used in whatever way you see fit after that. But to facilitate movement, it should all be done as far away as possible from the point of control and as far in advance as possible.

**Gareth Williams:** Take the example of the pilot we are running in St Pancras. It would be very easy to add the French passport control to that same process and, at that point, you can complete your entire border crossing in ten seconds, without ever taking a document out of your pocket. There is that potential, which, as John says, we have been trying to drive forward for a long time now.

I get the sense that, particularly over the last twelve months, there has been a bit of a shift in focus in momentum and the approach to this from within the Home Office and within Border Force. We are seeing positive engagement on things such as that

pilot and the discussions about the potential here. We absolutely support the thrust of the strategy to move this upstream but there are things we need to work on.

We always have the struggle of 'juxtaposed is different'. It always ends up with a procrastinating approach; you do it for the airlines and then decide how you will tweak and adapt it to a fundamentally different system.

Part of it is that we need the legal framework to collect the information that drives this system. We saw this in Covid where I had carriers' liability requirements imposed on me overnight that required me to collect data that I was not legally able to collect in the member states in which I was operating. In the jargon of the borders, as you transition away from PNR, which is 'give us the data you happen to be collecting anyway', to API, which is 'go out and collect new data for these specific purposes', there needs to be a legal framework that ensures that, as airlines do, we have the powers to do that.

The driving of biometric controls is super important but, fundamentally—whether this is ETIAS on the European side or ETA on the UK side—it comes down to the efficiency and simplicity of the engine that is driving the application process behind this. If ETIAS works in much the same way as the ESTA, where, most of the time, you can get an answer very quickly, then we can help support people to do that; we can help doing the booking part, even if they turn up at the station, just as is happening now with the Covid testing. If it is more like the current UK passenger locator form, which runs on with redundant questions for six pages and is available only in English, it will be more of an issue to make that an efficient process.

I think that, overall, the engagement around ETA and future borders is positive, but there are particular areas where we need to come together and get a solution.

**Lord Blunkett:** Presumably, it is crucial that minimum information and a lesser procedure is insisted upon—go back to first principles. Most of the stuff that is asked for in these processes, including what I said earlier about the United States, is completely irrelevant and is not used or is incapable of being processed. Could we also look at what is actually needed, as opposed to what is being laid down, particularly around the fingerprint issue?

**Gareth Williams:** That is completely the case, and I can draw a good example of that. After the Bataclan terrorist attacks, for very understandable reasons, the Belgian authorities introduced a decree requiring the provision of a whole raft of data. I think there were some nineteen separate data requirements that nobody could ever collect, and it never moved forward.

We have seen this time and again with the Covid test. You have to take it down to where it is simplest. Take the French approach at the moment: have vaccine, will travel; if not, you are in a different process. People understand that. They can make their choice about the vaccine, and they can understand the process: it is clear, simple and intuitive, and therefore compliance and security are that much higher.

This simplicity and efficiency is an absolute link to security and compliance; the two go hand in hand. The point you make is incredibly powerful.

**The Chair:** We have taken up a lot of your time and you are now here when you possibly would have expected to be leaving the building. If you can give us a little bit longer, I know we have at least one more question for you, and there may be others. Are you okay for another few minutes? Thank you.

Q22 **Baroness Primarolo:** I have a quick question on the uploading of passports. I cannot remember where I had to do this recently, but I had to take a photograph of myself on my phone, so that the photograph I took on my phone could be matched to my passport, which matched my passport number, which matched the biometrics. It does not use fingerprints, but it uses everything else. Do we know why that is not seen as a viable solution?

**Gareth Williams:** Before the end of this month I will start doing exactly that on a test basis at St Pancras.

**Baroness Primarolo:** I see. I misunderstood.

**Gareth Williams:** As you say, it does not and cannot include fingerprinting, because that cannot be done to an IATA standard on a mobile device and, for reasons probably lost in history, the EU entry and exit system decided to incorporate fingerprinting.

**Baroness Primarolo:** Why? I am sorry to prolong this, but is there something exceptional about fingerprint as opposed to passports, facial recognition, eye prints and all the other questions? I remember I used to go through Heathrow using the iris scan, but that has long since gone.

**Gareth Williams:** Not as far as I am aware. Most countries, including the UK, have traditionally used fingerprinting as a biometric. As Tim was saying, this is essentially a visa scheme, in many ways. I think it is just continuity from that. It is a question for some of the technical providers as to whether they believe that fingerprinting offers any additional level of confirmation over and above that which you can get from a facial biometric.

This is an area where there has been some movement and flexibility before. We engaged very well with the French authorities a few years ago and, consequently, it led to the installation of e-gates at St Pancras. That was the first time there had been French e-gates outside French territory, and we made the agreement that those e-gates would work on a facial recognition basis only; at that time, the PARAFE gates required fingerprints and a pre-registration. There has been that kind of flexibility before. Here, there is the additional challenge of the requirement that is imposed at an EU level, so there is not the same flexibility at a member state level to make an entirely free decision about that, but it is something we can go to.

**Tim Reardon:** The other element that makes it difficult is the requirement written into European law for the registration process itself to be overseen by a French

passport officer. That makes it difficult for someone to do at home. One might ask, given that you can register for so many other things at home, why you need a French passport policeman to look at you while you are doing this? But that is what the law says at the moment.

**Baroness Primarolo:** You could have it onsite, could you not, and then they would still be in control of it?

**Tim Reardon:** You could. There is another way of looking at it. The idea of the EES pre-enrolment is to create an equivalent database in Europe, relating to overseas travel and non-European travellers, equivalent to what they already have from their own EU passport database. The UK Government could perhaps look to have a sharing arrangement with the EU, so that the biometric data they already have associated with UK passports is shared with Europe on a mutual basis so that UK citizens do not need to register again what they already registered when they applied for their UK passport to travel to Europe, and, potentially, once biometrics are in, so that European nationals do not need to double register to come here. That would remove the functional requirement to go through and register yourself again entirely.

**Baroness Primarolo:** We might have a gateway to do that through Part Three of the Brexit agreement, on policing and security, where we are already exchanging.

**Tim Reardon:** Indeed so, if it could not be hung off the juxtaposed controls treaty.

**The Chair:** Were there any other burning questions from Members? Is there anything you feel you would like to have said that we have not covered?

**Tim Reardon:** From my perspective at the Port of Dover, thank you very much for giving us the opportunity to come and explain the issue to you. Our real challenge and concern is that there is no definition for a biometric control for people in vehicles. When we explain it, it is apparent and obvious, but it has not arrived hitherto. We are very grateful for the opportunity to come and explain that today.

**John Keefe:** I second every word from Tim on that. That is the case for us, as well. Thank you, again.

**Gareth Williams:** Nothing more from me, thank you.

**The Chair:** If anything occurs to you after this morning, please get in touch. Thank you very much indeed.