



Home Affairs Committee

Oral evidence: [The work of the Home Secretary](#), HC 500

Monday, 15 December 2014

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Members present: Keith Vaz (Chair); Ian Austin, Nicola Blackwood, Mr James Clappison, Michael Ellis, Paul Flynn, Lorraine Fullbrook, Dr Julian Huppert, Tim Loughton, Yasmin Qureshi, Mr David Winnick.

Questions 100 – 207

Witness: Rt Hon Theresa May, MP, the Home Secretary, gave evidence.

Q100 Chair: Could I bring the Committee to order and welcome the Home Secretary? This is one of the normal sessions when the Home Secretary comes before the Committee to discuss the work that she is doing in the Home Office. Welcome, Home Secretary, and thank you for coming. Even your most fiercest critics would say that your stewardship of the Home Office over the last five years—almost five years—has been extremely strong. However, in recent weeks, with the revelations contained in the “Feinstein Report”, the resignation of Norman Baker as one of your Ministers, the “Vine Report”, which talks about people who have been murderers getting British citizenship, and the failure to appoint a chair of the child abuse inquiry, despite the strong stewardship you have shown, things are beginning to unravel as we get to the end of the Parliament. Do you recognise that description?

Mrs May: I do not recognise the precise description you have given, Chairman. What I do recognise is that there have been a number of issues that have presented challenges. I think any Home Secretary, any former Home Secretary, would say that that is life in the Home Office. The extent to which there are challenges varies from day to day, but every day brings issues that need to be addressed. You mentioned a number of issues, for example, on the resignation of Fiona Woolf, I was very clear in the House of Commons that I am sorry that we saw the resignation of a second chairman and that we were not in the position of having a chairman for the panel inquiry.

Q101 Chair: We will come on to each of these areas. Those are the areas that the Committee will probe you on this afternoon, but on the resignation of Norman Baker, were you surprised, because it was quite a bitter resignation? He said that working with you and the Home Office was like walking through mud. Were you surprised that he resigned?

Mrs May: I was surprised. I have said to this Committee before, that Norman was an assiduous Minister, he was very diligent in the work that he did within the Home Office. There were a number of issues that we were working on together, so yes, I was surprised when he resigned.

Q102 Chair: Let us move on to the “Feinstein Report” that has recently been published. As far as I can see, there are 525 pages on the redacted document, which is now online, but it appears that the whole report, of which this is a summary, runs to 6,700 pages. Is that your understanding, that there is a difference of about 6,000 pages in the summary and the full report?

Mrs May: My understanding is that there is a significant difference in the size of the two reports, Chairman. I cannot vouch for the exact number of pages in the full report, but I certainly understand that the full report is larger than the summary that has been provided.

Q103 Chair: Have you managed to read the full report? Has somebody sent you the full report?

Mrs May: No, I have not read the full report. As you would imagine, obviously what is available to us is being looked at by officials very carefully.

Q104 Chair: So that is the summary document that is online all of us have access to?

Mrs May: As I understand, we are looking at the summary document.

Q105 Chair: Can you just confirm that no member of the Government at any of these various meetings that have taken place over the last few years have either lobbied or asked for names to be redacted in the publication that is now called the “Feinstein Report”, that neither you or other Ministers or our Ambassador in Washington has asked for removal of names?

Mrs May: I certainly have not asked for any redactions to take place in the report. I did not see the draft report. If I could clarify, Chairman, you referred to meetings that had taken place. Of course there was some inaccurate, wrong information put out that I had been at a meeting with the relevant Senate Committee in July 2011, which I was not. Indeed, the only time I have met Senator Feinstein was in September of this year. I have not, as I said, seen the draft report and I have not asked for any redactions in that report.

Q106 Chair: When you met Senator Feinstein, did you talk about this report or did you discuss other things?

Mrs May: No, we discussed other things.

Q107 Chair: So you can reassure this Committee, because there are a lot of rumours and innuendos going around, that the British Government has not asked for redactions?

Mrs May: No. What has been made clear is that the United Kingdom had an opportunity to ensure that there was no evidence that was put in that would affect and damage our national security. You asked if I had asked for redactions. I have not asked for redactions.

Q108 Chair: One of your predecessors, Alan Johnson, has made it very clear he had seen no evidence when he was Home Secretary of British officials or agents being involved in torture or waterboarding or any of these other illegal activities. He has come out very firmly and said that other Home Secretaries have reserved their position, depending on whether or not there was going to be an inquiry. Can you tell this Committee from your perspective that you have not seen any evidence of this kind?

Mrs May: Chairman, first of all, I think probably it is helpful to clarify for the Committee that of course I am responsible for the Security Service, for MI5. When we came into Government in May 2010, one of the early steps that we took collectively as a Government was to set out very clear guidance for those who are working on our behalf, and those in the security and intelligence agencies who work on our behalf do an excellent job for us day in and day out. I am sure I can speak for those in the Security Service in saying that they would not want in any way to be tainted by suggestions that there had been any involvement in torture. We all believe that torture is abhorrent and is wrong. Certainly, as I say, one of the early steps that this Government took was to set out some very clear guidance for those who were working for us as to what they should do in circumstances in which they might feel that there was a risk of torture or inhumane treatment taking place.

Q109 Chair: Of course, and that is very helpful, but you can only speak for yourself, you cannot speak for your predecessors or any other officials. You have seen no evidence that British agents or officials were involved in any way?

Mrs May: I am not aware of any evidence that British agents or officials have been involved in torture.

Q110 Chair: Because Lord West, a previous Security Minister, said that British agents were present in the same building at the time operations of this kind were taking place. You do not know anything about that?

Mrs May: I cannot speak for what might have happened in the past, before this Government came into office.

Chair: Of course.

Mrs May: Obviously for those who were responsible at that time, it would be necessary to ask them. As you say, a number of them have been commenting on this issue. What we were very clear about as a Government was that what we should do is very clearly set out for those who are working for us, the agents, how they should deal with situations if they felt there was any risk of such torture, or indeed cruel or inhumane treatment taking place. I think I am right in saying we are the first Government that has done that and has been very clear with people about those circumstances.

Q111 Chair: You have been very clear today. Finally from me, do you think that there should now be a judge-led inquiry, as Andrew Tyrie and Dominic Grieve have asked for, or do you think that matters should just be left to see what happens? They are very keen to see a judge-led inquiry, as are a number of other colleagues, rather than a parliamentary inquiry or any other forms of inquiry. Do you think this is desirable, based on what you have seen so far or do you want to sit it out for a while to see how things develop?

Mrs May: What I would say, Chairman, is that the process that we have seen being undertaken in the United States is of course a Senate inquiry taking place in relation to this. The equivalent committee of Parliament here in the United Kingdom is the Intelligence and Security Committee. Sir Malcolm Rifkind has been very clear that that committee will be undertaking their inquiries into these matters and he has set out some of the sort of information they will be looking for. As far as I am concerned, the security and intelligence agencies will be co-operating fully with the inquiry.

Chair: Indeed. Of course the Home Affairs Committee has an interest in this as well, as does the Human Rights Committee, so a number of other parliamentary committees are interested in this and the committee will be asking Senator Feinstein and a ranking Republican to come over to meet with us early next year. David Winnick.

Q112 Mr Winnick: You said no Ministers were involved in any way in the consultations, if there were consultations, over the “Feinstein Report”. Were UK officials in any way involved, Home Secretary?

Mrs May: I think what has already been made clear is that there was an opportunity for the UK to ensure that information was not presented publicly that could have damaged the United Kingdom’s national security.

Q113 Mr Winnick: So the answer to my question is yes, UK—

Mrs May: The answer is that there was some work done to ensure there was no suggestion of any potential damage to UK national security. That is as one would expect.

Q114 Mr Winnick: Yes, you have answered the question. The report listed the tortures carried out by the CIA, which has caused great concern, horrifying tortures. We know bad people who want to do the maximum amount of damage to ourselves would have no hesitation in torturing, we only have to remember ISIS, but our values are not those of ISIS, of course, or other terrorists across the globe. You totally condemn such practices on the part of democracies, Home Secretary?

Mrs May: I have used the phrase that torture is abhorrent and torture is wrong and I would echo, if you like, the point that you are making, Mr Winnick, which is that it is important for us that we do not damage or throw away the values that make a difference between us and the terrorists.

Q115 Mr Winnick: So torture, as far as you are concerned, should always be out in the interrogation of suspects, terrorists or otherwise?

Mrs May: I have said torture is wrong.

Q116 Mr Winnick: You condemn torture?

Mrs May: Torture is abhorrent, torture is wrong.

Q117 Mr Winnick: You said in answer to the Chair that you are not aware of any British complicity in torture. It has never been suggested for one moment that British security officials involved themselves in torture in any way. I am not aware of any such allegation. The allegation has been complicity and I was surprised by your answer to the Chair, because Lord Neuberger, who was the Master of the Rolls at the time, in a court case said this, “There appears to be a dubious record when it comes to human rights and coercive techniques on the part of security officials”. He was referring to British officials. That was his comment at the time, which caused quite a lot of controversy. You were not aware of the case, presumably?

Mrs May: Sorry, I am not sure which case you are referring to, Mr Winnick. Did you say what time it was?

Q118 Mr Winnick: It was a court case involving terror suspects at the time and the comments that I have just quoted were mentioned by me in a debate in 2010. Can I again quote what he said, Lord Neuberger, who was the Master of the Rolls? As far as security officials, he said, “Some appear to have a dubious record when it comes to human rights and coercive techniques”.

Mrs May: I asked when that remark had been made, Chairman, to Mr Winnick for a reason and I think Mr Winnick in answer said that he had quoted it in 2010, which implies that it was a comment made in 2010 or prior to that. As I said, I cannot comment on prior to May 2010, when I became Home Secretary. What I am clear about, as I have said earlier, is that when the Government came in, one of the early steps we took was to look at guidance for agents in relation to how they should behave if they felt there was any risk of cruel or inhumane treatment or torture taking place in any operation or any circumstance in which they found themselves, so the Government has been very clear with people.

Q119 Mr Winnick: My last question to you, Home Secretary, on this point is simply this: there has been a feeling, which no doubt you are aware of, that the Intelligence and Security Committee is perhaps not the best body to do an inquiry, bearing in mind previous reports, which have been highly critical of the way the committee conducted itself in looking into allegations along the lines that I have just mentioned. Don’t you think in order to clear this whole matter up—and it is not a party matter in any way, as far as I am concerned—that there should be the kind of judge-led inquiry, judicial inquiry, which many people understandably are now wishing to have? Is there any particular reason why there should not be such an inquiry?

Mrs May: As I responded earlier to the questions that the Chairman had put to me, there is a proper process that is in place that is established that a parliamentary committee, the Intelligence and Security Committee, should be the one that has oversight of the agencies and does its work. Of course, we have just seen that committee publishing a very lengthy and very detailed report on the murder of Drummer Lee Rigby and the operation of the security agencies in relation to the run-up to that terrible action taking place. That was a result of some of the greater powers that we have given the Intelligence and Security Committee. We have changed its

relationship with Parliament, we have given it greater ability to look into what the agencies have been doing. So my answer to you, Mr Winnick, would be there is a proper committee in place to undertake the inquiry. This Government has strengthened the powers of that committee and I think we have seen the evidence of that.

Q120 Mr Clappison: Home Secretary, you have just been asked questions in detail about the subject of torture and the “Feinstein Report”, but the background to this is surely that these are all matters that took place—and as far as I know, the “Feinstein Report” deals with such matters—when this Government was not in office and when another Government bore ministerial responsibility for what was taking place. That is the case, isn’t it?

Mrs May: My understanding is that that is the period that is covered certainly by the “Feinstein Report” and as I have indicated to the Chairman, obviously any Minister in the current Government can only talk about our time in office.

Q121 Mr Clappison: Yes. The background to this is that during the previous Government’s time in office, there were questions on the floor of the House and elsewhere about extraordinary rendition and torture, and members of the then Government said that this country had no part in extraordinary rendition and knew nothing at all about it. That is the case, isn’t it?

Mrs May: That is the case, I understand, yes.

Q122 Mr Clappison: In assessing responsibilities and where this should lie, there must be a question of responsibility to Parliament as well, must there not, of what is said to Parliament, whether or not—and I do not know whether or not it is true—those matters, those assurances that were given to the House of Commons were true or not?

Mrs May: Obviously any individual, each and every one of us as a Member of Parliament, is responsible for what we say to Parliament and for making sure that what we say to Parliament is correct. In relation to some of the matters that have been referred to that have taken place in the past, of course there is a current investigation taking place in relation to some of those matters at the moment, but I think my point is that each of us is responsible for what we say to Parliament and elsewhere.

Q123 Michael Ellis: Home Secretary, the security and secret intelligence services often come in for considerable criticism, particularly in circumstances like this, and have been lambasted generally, but can we take a step back and agree that the men and women in our security services, and certainly those under your command, would certainly not be comfortable with torture, that they work very hard in the national interest and sometimes at considerable risk to themselves, and that in many cases they are unsung heroes and that they would be just as repulsed by torture as we would be or the average citizen would be? Would you agree with that?

Paul Flynn: That is a long question.

Chair: Order, Mr Flynn.

Mrs May: I have already made a passing reference to this, but I think, Mr Ellis, that you are right. Certainly from the experience I have had and the interaction I have had with people in our security and intelligence agencies, I think they do take the view they would not want—certainly when I look at those that I deal with most closely—to think that the work they are doing was being tainted by torture. They do have to work very hard day in and day out. They are in a circumstance where they cannot be identified, nobody knows who they are, but they are doing that work on our behalf to keep us safe and secure.

Q124 Michael Ellis: That having been said, MI5, were they to be responsible for any material that had been redacted from the “Feinstein Report”, would you agree that any such material could be disclosed, put into the public domain, so long as it did not pose a threat to any individual or secure location, something like that?

Mrs May: My expectation and understanding is that the security and intelligence agencies—and obviously, as you have indicated, I am responsible for MI5—will look to co-operate fully with the inquiry that the Intelligence and Security Committee will be undertaking. There will, by definition, be issues about what can be made publicly available or otherwise, because there will be the same questions about material that could affect our national security and the appropriateness of material being published, but my understanding is that they do stand ready to co-operate with the inquiry that Sir Malcolm Rifkind has already indicated he will be undertaking.

Q125 Michael Ellis: You have said that you did not meet Senator Feinstein until a couple of months ago and you did not ask for any redactions, nor did you cause any redactions to be asked for by any servants or agents of yours or of the security and intelligence service, is that right?

Mrs May: That is correct.

Q126 Michael Ellis: As has already been alluded to, I think by Mr Clappison, this material relates to before this current Government was in office. Would you think it appropriate that Tony Blair or Jack Straw should give an account of what went on on their watch to a committee of this House?

Mrs May: What I would say, Mr Ellis, is that individuals must be responsible for decisions that they took in the time that they were in office and for statements they make to Parliament. I would only just add this: that any Minister in any Government who is responsible for matters relating to national security has to take from time to time difficult decisions about what is going to be right to keep people safe and secure. These are challenges that are faced and it is a heavy responsibility for those who have these responsibilities to ensure that we are able to do what is necessary to keep people safe.

Q127 Chair: Can you just confirm that while you have been Home Secretary—and you can only talk about your period—there has been no settlement of any cases brought by individuals who have sued the Government over allegations of torture?

Mrs May: I think, Chairman, you will be aware that at the time that the Gibson Inquiry was set up a number of individual cases were settled. As far as I am aware, none of these were in relation to suggestions of torture, but I cannot recall all the details of the cases immediately.

Chair: Would you drop us a line on that?

Mrs May: I can do so.

Chair: That would be very helpful.

Q128 Yasmin Qureshi: Home Secretary, you have been aware, I think, from some of the discussions that have been happening in this Committee this afternoon, that for some time there have been these allegations or rumours or whatever you want to say about extraordinary rendition and complicity in torture by intelligence services. Would it not be appropriate now to have a proper judge-led inquiry into it so all these rumours and allegations can be put to rest once and for all? We know the Prime Minister some time ago was mindful and wanted to have a judicial inquiry and then people seemed to have changed their minds.

Mrs May: I am afraid I am going to give the same answer that I have given to others who have asked me about a judge-led inquiry—

Chair: We have your answer on that.

Mrs May: —which is that the ISC I think is the appropriate body for looking at this.

Q129 Dr Huppert: Home Secretary, you mentioned the Gibson Inquiry, and the Prime Minister decided to set up a judge-led inquiry. At the time, he said, “I do not think for a moment that we should believe that the ISC should be doing this piece of work. For public confidence and for independence from Parliament, party and Government, it is right to have a judge-led inquiry”. Why was it right then but not now?

Mrs May: Judgments are made at the time as to what is appropriate in terms of the circumstances in particular cases that are being looked at. I think there was a particular issue at that point. There were a number of steps that were taken by the Government at that time and the setting up of the Gibson Inquiry was one of those. Obviously, as you know, that has made a report.

Q130 Dr Huppert: But you are aware that the Prime Minister has highlighted it is important to have independence from Parliament, party and Government, which of course cannot be achieved by the ISC. Do you at least accept there is a difference there?

Mrs May: I would challenge your suggestion that the ISC is not independent of party. It is cross-party, it includes not just cross-political party members, but also has cross-bench representation from the House of Lords. That is not a committee that in my experience in any way is tainted by party political issues in the way that it does its job. It does its job with integrity and thoroughness.

Q131 Dr Huppert: The quote talked about Parliament, but let me move on, because I think you are not going to change your position on this. You talked about the guidance that has been given to operatives at the moment and it is quite interesting about what people are allowed to do. It says that people may proceed in circumstances where there is a lower than serious risk of cruel, inhuman and degrading punishment. That phrase, “Lower than serious risk” sounds like it accepts the idea that there is a reasonable, moderate level of risk. Is that the intention of the guidance?

Mrs May: The intention of the guidance is to make it clear that people must assess the risk of certain types of treatment being used in the circumstances in which they find themselves. That is

if there is a low risk of something being undertaken, that is why the guidance sets it out in that particular way.

Q132 Dr Huppert: Why doesn't it say where there is a low risk rather than a lower than serious risk? I am sure you will appreciate words matter in these things. Somebody will have chosen very carefully to set it at "lower than serious" rather than "low".

Mrs May: My assessment, Dr Huppert, would be that we are very clear that if there is a serious risk, for example, somebody seriously believes that something could be happening, and what the guidance refers to is those circumstances in which there is not that serious risk that something would be undertaken.

Q133 Dr Huppert: So a moderate risk would be all right?

Mrs May: No, it is a less than serious risk.

Q134 Dr Huppert: I think that is a yes to that. I think you are accepting that a moderate risk of cruel, inhuman and degrading treatment is less than a serious risk, and hence you are saying that the Government's guidance is people can go ahead when there is a moderate risk of that. Is that what you are saying?

Mrs May: I have not used that term, Dr Huppert. That is your term. I have been clear about the language that there is in the guidance and that people obviously make an assessment as to the risk involved in any particular circumstance.

Q135 Dr Huppert: You have rated it lower than serious. One last thing, if I may, on a related issue. What is the position if British agents suspect that there is something going on? How far are they expected to go to report it? If they have not been directly involved at all, and I understand that is not allowed, how far do they have to go in reporting suspicions about other countries being involved with torture or cruel, inhuman and degrading treatment?

Mrs May: I believe that the guidance sets out clearly for people what action they should take in those circumstances.

Chair: Thank you. If we could not repeat any questions we have had before but perhaps new questions. The Home Secretary has been very clear on a number of issues.

Q136 Paul Flynn: It was about 10 years ago when Monsieur Dick Marty, who is a Swiss Member of Parliament, originally made these allegations that have now proved to be true in the "Feinstein Report". He was obstructed and ridiculed, described as a lunatic in this Parliament. Don't you think there is an issue that goes way beyond party in the accusations that have been made now and our standing of Western democracies is gravely damaged? What we want now is absolute transparency and if you are not going to tell us we have no choice but to ask the previous Government to come here and give evidence. Don't you think it would be more helpful if you allowed the inquiry to go beyond the Intelligence Committee and was judge-led, an inquiry we know to be independent?

Chair: Home Secretary, it is another no from you, I think.

Mrs May: I was going to say I can repeat what I have said before. If you look at what happened in the United States, it was a Senate committee that has undertaken this inquiry. The Senate Intelligence Committee, the equivalent of that committee in the United Kingdom is the Intelligence and Security Committee of Parliament.

Q137 Paul Flynn: With the history of cover-up, of denial of information, we are four years late in the publication of the Chilcot inquiry. They promised to report in a year of why 179 British soldiers were sent to their deaths in pursuit of non-existent weapons of mass destruction. We still do not know why we went into Helmand with the promise that not a shot would be fired and 453 British soldiers were killed. Don't we need to get away from this policy of trying to cover up past mistakes?

Chair: Order, Mr Flynn.

Mrs May: All I would say to you, Mr Flynn, is that obviously those particular instances that you refer to are issues that were undertaken under the previous Government. I am responsible for many things in the Home Office but I am not responsible for the Chilcot inquiry, Obviously that has been doing its work and will report at a time that is appropriate.

Chair: Mr Flynn, let the Home Secretary respond and then you come back.

Q138 Paul Flynn: Yes, of course. The Prime Minister has told me, Jeremy Heywood has told me and less than an hour ago in the House, Mr Fallon has told me that they are not responsible, nobody is responsible for the delay on the Chilcot inquiry, but it is still four years late. Doesn't this degrade the reputation of Parliament and doesn't the "Feinstein Report" degrade our reputation as allies of the United States?

Mrs May: Mr Flynn, I would like to point out to you that I think it is difficult to argue on the one hand that you want an inquiry that is independent and on the other hand complain if politicians do not say they are responsible for that inquiry and how it is being held. If you ask the—

Paul Flynn: Who is delaying Chilcot?

Mrs May: If you ask for the inquiry to take place, then it is up to that inquiry to take place, to take its evidence, to write its report and to publish when it thinks it is appropriate to do so.

Paul Flynn: It is up to politicians not to obstruct the publication of that report or to civil servants as well.

Chair: Mr Flynn, I think what the Home Secretary is saying is it is not her responsibility. She is not Sir John Chilcot, clearly.

Paul Flynn: I thought everyone was—

Chair: It is a matter for him but we can always write if you want. I can write to Sir John and ask him why it is being delayed. Mr Austin, could we have a question from you?

Ian Austin: Yes. Before we all get swept away on this tide of mad conspiracy theories, party political point scoring and—

Chair: Sorry, Mr Austin, we need a question because we have to make progress.

Q139 Ian Austin: What is clearly fuelling all of this, it is absolutely clear that this report so-called that we are discussing, is a partial account published by one side in the States to score party political points over there; second that it has produced absolutely no evidence, no evidence at all, and no evidence—even up until this report—has been produced to show that British officials or British politicians have been complicit in torture, which is defined by the United Nations as inflicting severe pain or suffering to obtain information or a confession.

Chair: Thank you.

Ian Austin: There is no evidence that that has happened; and third, that other senior politicians in the States have said that the inquiries this covers did in fact produce very useful information, including preventing attacks on Canary Wharf and Heathrow and leading to the discovery of Osama bin Laden.

Chair: I think if you could answer that question then we will move on.

Ian Austin: First, the report is a partial account; second that it produces no evidence whatsoever that British officials or British politicians—your predecessors—have been complicit or involved in torture; and third, that other politicians in the States say that these activities did result in saving lives here in Britain, preventing attacks on Canary Wharf and Heathrow. When you strip away all of the conspiracy theories, the party political point scoring and the attempts by liberal hand-wringing journalists who want to undermine every attempt by the West to protect their democracy, are those not the facts?

Paul Flynn: No.

Chair: Right. If you could make a brief answer to that I would be very grateful. We do need to move on.

Mrs May: My understanding, Chairman, is that the committee report was produced only by a certain number of members of the committee, so Mr Austin has made that reference. My understanding is it does not show any evidence of complicity by the United Kingdom in torture. Of course there has been a discussion in the United States as to whether or not the material that was obtained by the use of these techniques did indeed avoid actions taking place that led to the deaths of others, but I understand that John Brennan has been very clear in statements in relation to that.

Q140 Chair: Indeed. Let us move on. Thank you very much. In conclusion, what you are telling the Committee is that you have not asked for any redactions?

Mrs May: Yes.

Q141 Chair: There have been redactions but you do not know who has asked for them?

Mrs May: I have not asked for any redactions and any such request will only have been in relation to the need to ensure our national security and that nothing damaged our national security.

Q142 Chair: Let us move on to child sexual exploitation, an area we are very concerned with. We have described the process of the appointment of the chair of the inquiry team as slightly shambolic. We had one appointed for six days—Baroness Butler-Sloss—and another appointed for 56 days. We have had Mark Sedwill in before us. There clearly seems to have been a lack of due diligence. Have you been able to discover who was responsible for this lack of due diligence? We take it as read that both the chairs you have selected are women of the highest integrity, so we do not need to go over all that again. They are great, great people. However, they resigned and it is clear that there was a lack of due diligence. Why?

Mrs May: The Home Office, and indeed other parts of Government, did go through a process in looking at those people who were appointed to the chairmanship of this inquiry. I will not repeat the comments. I am grateful to you, Chairman, for making clear your view about the calibre of the two individuals and, as I have said before, I am sorry that we are in the position of not having a chairman. We are looking very carefully at the due diligence process that we will be going through for the next appointment of a chairman, and will ensure that we are taking information from people to ensure that when we come with that nomination it will be one that has the confidence of all those involved.

Q143 Chair: Do you know when that is likely to be? We have only 11 weeks left. Our last session is on 24 March. There is only 11 weeks left before Parliament is prorogued. When do you think you will be in a position to send the name of your nominee to this Committee for the confirmation hearing?

Mrs May: I cannot give you an absolute date on that, Chairman. Quite a large number of names have been suggested to the committee.

Q144 Chair: How many names have been suggested, roughly?

Mrs May: Roughly, over 100 names have been suggested to the Home Office in relation to potential chairmen. I recognise the timetable that this Committee has in terms of the role it has agreed to play in this matter. I am very clear that I think we need to get this inquiry set up so that it can continue its work and that it is set up before Parliament is prorogued, so there is no question that this inquiry will undertake its work. I think it is very important. I have been very clear. I have said it in Parliament. I have said it in other public fora—and will say it again—that I think that what we have seen so far is the tip of the iceberg and I do not think that anyone has quite recognised the enormity of this issue.

Q145 Chair: We have noticed it is now seven months since you made your first statement to the House. You have now received a letter from a number of survivors, dated 4 December. Twenty-four of them are basically saying that they will not participate any more unless you have a statutory inquiry, unless you announce new terms of reference and unless you announce the scrapping of the current panel. So is there not a real danger that the length of time it is taking is going to damage the very good work that you have done in announcing the inquiry in the first place?

Mrs May: I think, Chairman, if I may, that the overwhelming message that I am getting from survivors and survivors representatives that I have been meeting, is that it is important to make sure that we do get this right. I am very clear that the inquiry should have the powers of a statutory inquiry. There are a number of ways in which that could be done.

Q146 Chair: Is that now accepted because that is our view too? You wanted to leave that to the chair. There is no chair. We are very firm and the survivors groups have been very firm with this Committee in private session that they want it to be statutory. Do you now accept that it should be statutory?

Mrs May: What I accept, Chairman—if I may give a slightly lengthy answer in terms of the explanation—is the message I am very clearly getting is that this is an inquiry that should have the powers to compel people to give evidence and to enforce. Those powers can be arrived at in a number of ways: under a statutory inquiry under the Inquiries Act 2005. We could achieve that in two ways, either by waiting for the chairman of the current panel to be appointed and then to say that they would want it to be statutory. Of course you could start again with a new panel. That could include some of the members of the existing panel but a sort of new point with a chairman who has an acceptance that it is being set up as statutory, or some have suggested a royal commission. A royal commission does not have the powers of a statutory inquiry under the Inquiries Act 2005. You could possibly write those powers into a royal warrant but that is not legally tested, so it would be legally more risky than going under the Inquiries Act 2005.

Q147 Chair: But the panel is meeting as we speak every Wednesday, as you have asked?

Mrs May: Yes.

Chair: Who is chairing it?

Mrs May: There is no individual chairman by definition, but the panel is meeting and going about its work. It has held a number of events up and down the country where they have been talking to people about the work of the inquiry and how that is going forward.

Q148 Tim Loughton: Home Secretary, obviously the inquiry has got off to a shaky start. Do you think things would have been different and we would be in a better place now if that inquiry had been launched two years ago when various people first suggested it to the Prime Minister?

Mrs May: It is difficult for me to say that had a decision been taken earlier then it would have been in a different place. Had a decision been taken earlier, obviously work would have been being undertaken for a longer period of time than we are now. I accept, as I have said, that we would prefer to be in a different position and to have had the inquiry with a chairman that could ensure that its work was continuing full pelt, if I could put it like that. But I think it is important now that we get the structure right and that we get the chairmanship right. Mr Loughton, you have campaigned long and hard on behalf of survivors and on these issues in the past and we all want to see this inquiry getting to the truth.

Q149 Tim Loughton: I agree, but don't you think that the longer this has dragged on, for the last two and a quarter years since the Savile revelations opened the floodgates, the more the tentacles of accusations of abuse have spread and the more untrusting and cynical survivors have understandably become about the whole process. The longer it has taken, therefore, now makes it very difficult for that inquiry to get off to the sort of start that we would have liked?

Mrs May: I think what has happened over recent months and years is that we have seen a developing picture, in terms of the nature of the issue that the inquiry is going to be dealing with. It will be looking at those incidents of abuse that have taken place in the past, many of which will

not have been dealt with properly in the past. Of course there are issues about the lessons to be learnt, why it was that institutions—both state and non-state—were not acting in their duty to children. But what we have also seen more recently is the very real evidence, particularly from Rotherham but also cases around the country, and indeed the work that that been done by our parliamentary colleague, Ann Coffey, on Greater Manchester that this is still taking place today.

Q150 Tim Loughton: Indeed, but do you not think it would have been better to have spoken earlier to the survivors groups?

Mrs May: We were trying to understand some of the issues that survivors groups were raising at an earlier stage.

Tim Loughton: Don't you best do that by speaking to them directly?

Mrs May: I am pleased that I have now spoken to those survivors groups and we continue to meet with them and hear from them on these issues. Of course, I have to take a decision about the appropriate way forward in a way that I hope is going to have the full confidence of those survivors.

Q151 Tim Loughton: You have had a number of meetings. What have you learnt most of all from those survivors groups that are going to inform the way the inquiry now progresses?

Mrs May: I have learned a number of things. I think I have a better understanding of the enormity of the issue that is being dealt with. What has been made very clear is that, for those who are survivors, this is not a historic issue. This is something that happened to them in the past that they live with day by day. Very clear messages about the importance of ensuring that people can be compelled to give evidence.

Q152 Tim Loughton: What do you think is more important? Because clearly in the meetings we have had with survivors groups, as a Committee and individually, there are those who say they would be perfectly happy if it took another six months, three years, six years, to get this inquiry right. There are those who say they need closure as soon as possible and clearly there are the cases—as you have alluded to—still going on now, which is one of the important parts of the inquiry to make sure that child protection policy is fit for purpose in 2014. Which is the greater priority as far as you are concerned in proceeding with this inquiry? Also, allied to that, there is concern that as more and more survivors are contacted by the police or come forward themselves, and have to relive the trauma they went through, 10, 20, 30, 40 or more years ago—and there are some cases of suicides that have resulted from it—that there is not sufficient availability of therapies and support for those survivors available now. What do you plan to do about that and what discussions have you had with colleagues and the health department, for example, about providing that help?

Mrs May: On the first point that you raised there is a balance to be struck here. As I indicated earlier, I am very clear that I want to ensure that this inquiry is fully set up with the powers and with a chairman, so that it is there and cannot be postponed because of Parliament proroguing and us going into a general election. So I am very clear that this is not a question of waiting six months or a year to get the inquiry right. We need to work more quickly than that to get it right so that it can do its job.

Chair: Thank you.

Q153 Nicola Blackwood: I just wanted to follow on from a few of the questions that Mr Loughton has been asking. Obviously we had some of the survivors groups in to speak to us in private and in public session. Almost unanimously they expressed lack of confidence in the terms of reference, in the current panel and obviously in the previous chairs. Obviously you are still in the process of selecting the new chairs, but one of the proposals that came forward was a desire to have a more consistent type of consultation along the lines of that in the Australian inquiry, where they have had a three-month consultation that has been more widespread. I wondered whether there would be any consideration of that once a new chair was in place, given that that would give a substantial foundation for the inquiry to go forward.

Mrs May: We are looking very closely at the Australian commission and the way in which it is operated. There are certainly a number of positive comments that have been made about the way in which the Australians have taken this forward, so we are looking very closely at that.

One of the other aspects of that is the support for victims, which Mr Loughton mentioned, and discussions have been held between the Home Office and the Department of Health on the support that should be available for victims. We need to ensure that the support is there. There are some active ways in which we are looking also to support the groups that find themselves giving support, because the survivors groups are being asked to give support to victims, as well as the need for more state provided support.

Q154 Nicola Blackwood: Yes. A second issue that was raised was a sense of injustice almost at the 1970 cut off date. Some of the survivors, having experienced abuse going back as far as the 1950s, do not understand why their abuse should not be considered as part of the inquiry, given that they are still living with the after effect of that abuse and for them it is still current. What consideration has been given to those concerns and whether indeed there have been any discussions about that?

Mrs May: Yes. We will be looking at the terms of reference and of course that will be a matter that will be for discussion with the chairman when the chairman is appointed too. All I would say about the 1970 cut off date is that the only intention was to have a period of time that was manageable for the committee, but I recognise that for some people the abuse was taking place across that time and, therefore, it does seem to be a cut off date that for them does not make sense in terms of the abuse that they were experiencing. We are looking at the terms of reference.

Q155 Lorraine Fullbrook: Home Secretary, can I ask how easy or difficult do you think it is going to be to find a chairman of such eminence and ability to chair this panel, who has not had dinner or a conversation in passing in a corridor in their past life?

Mrs May: It is a challenge if I can put it like that. By definition, anybody who has the experience necessary to be able to chair such a panel is somebody who undoubtedly is probably in a very senior position in whatever particular career or profession they are in and, by definition, therefore, they may be seen as part of the establishment. But I think one of the issues that is important in that context is the powers that the inquiry has, so that people can have confidence that it will be able to compel people to give evidence.

Q156 Lorraine Fullbrook: Just on that point, we were talking about the powers to call to attend. The panel also has the right to request and review Government papers and reviews or any papers it requests. They have the right to do that?

Mrs May: Yes. I have been very clear that the inquiry panel should have access to the papers that they need from Government. One of the key issues here is how state institutions did or did not take seriously their duty of care for children, and so it is important that information is made available and that all parts of Government co-operate with the inquiry.

Q157 Lorraine Fullbrook: Just to clarify, they will not be fettered in any access to any Government documents, papers or people that they feel necessary to come before them?

Mrs May: I am clear that it should be the case that there is no fettering of the ability of this inquiry to search out the truth.

Q158 Yasmin Qureshi: I think we are all very appreciative of the fact that the inquiry will be a full inquiry. There will be full access to all the documents and looking at all these dates. But of course the issue has been the appointment of chairs, which has obviously hit a bit of an obstacle. It has just been mentioned traditionally obviously chairs of inquiries tend to be people regarded as establishment type of people, so a safe pair of hands. Maybe it is time now perhaps in this particular inquiry, bearing in mind it is challenging the establishment itself, to look for somebody—obviously with all the requirements about integrity and honesty and competence—outside the traditional box of people who would be considered appropriate. I know some people's names have been mentioned, like Mr Michael Mansfield. I know the victims have mentioned him. But there are other people like that around who victims would have utmost confidence in and who definitely have the ability and the talent to be able to be the chair.

Mrs May: One of the issues that we have, as I have indicated, is making sure that people will have confidence in the chairman who is appointed. I have to say, though, I think by definition anybody who is involved in the legal profession or indeed in politics or indeed in many other professions, most people would describe as being part of the establishment. This is one of the challenges we have. But I have been asked previously whether we would look outside the United Kingdom. We will look outside the United Kingdom. So we will look widely to find somebody who is able to undertake this job, who can both manage the job of managing the inquiry, of chairing the panel and who is able to have and inspire the confidence of all those involved.

Q159 Michael Ellis: There were reports I think in the *Mail on Sunday* about Michael Mansfield, who Ms Qureshi has mentioned, setting up his own inquiry that apparently would be unfunded and without authority to call witnesses and the like, but do you think that would be helpful and would you have any other observations to make about that? That is the first point. Could I ask you to answer that first, please?

Mrs May: Yes. I am aware of the suggestions that he would be setting up his own inquiry. My focus is on the inquiry that is going to be set up, as I have said, with the appropriate powers. I would certainly hope that anybody who wishes to come forward with any evidence or to talk about their own experience would do so to the inquiry that the Government is setting up.

Q160 Michael Ellis: Yes. Just on another point, have you any thoughts about making the official inquiry a statutory inquiry with powers of compulsion? Is that something that you might consider?

Mrs May: I am clear, having listened to the survivors, that this should be an inquiry that has the powers of compulsion. There are a number of ways that we can achieve that, but I—

Chair: Yes, you did make that clear to us.

Q161 Michael Ellis: I want you to expand on that, because is that something that is likely to need further authority from any other quarter or is that something that you can make a decision on without further delay?

Mrs May: I would be not in a position to give an absolute answer as to exactly what form. I am very clear that the inquiry should have the powers of compulsion in due course. I have set out the various forms that that might take. Obviously there is a decision to be made as to which of those avenues to go down and obviously properly there would be a proper Government decision to be taken at that time.

Q162 Tim Loughton: Home Secretary, when you have trawled through over 100 applications of potential names, when you have perhaps tweaked the terms of reference, when we have had a confirmation hearing, whatever you like to call it, what happens if the main survivors groups with whom you have been consulting still object?

Mrs May: First of all, it is my intention to find a way—we have not determined the exact process—in which we are able to talk to the survivors about names that are going forward. A number of names obviously are those that survivors and survivors groups themselves are putting forward, because nominations have come from various quarters. I am sorry, Chairman, that the Home Affairs Select Committee did not feel able itself to put names forward when I invited you to.

Q163 Chair: I will tell you the reason why, Home Secretary. We felt if we were sending you the names of nominees and you decided not to choose any of those nominees, it would put us in an invidious position having to do the confirmation hearing. We are resting on your judgment and when you make your judgment we promise you we will have a robust hearing for whoever is nominated by you.

Just one question about Operation Spade, Keith Bristow came before us and said, to quote him, “It is impossible to investigate or prosecute all the suspected paedophiles because it is such a huge problem.” What do we do about this? We are getting all these names coming. They are going to the NCA. They are going to local police forces, but many of them feel that they do not have the resources to deal with them.

Mrs May: First of all, we are looking at this whole area of child sexual exploitation, child abuse, to look at the resources that are necessary, but also to look at ensuring that there is proper co-ordination among police forces in terms of the various cases that they are dealing with. I think the point that the Director General of the National Crime Agency was making is that when they do get information they of course make a risk assessment. The way in which the assessment is done has changed. It has changed crucially that in the past I think they have tended to look at the

nature of the image that somebody was looking at, because the numbers of people he has talked about are those who were accessing child abuse images online. In the past they have looked at the image. They are now not just looking at the image but also looking at the individual where they have a name and their access.

Q164 Chair: Interesting, because one of the things he says is that, as far as he is concerned, the erotic posing of children is low risk. Do you agree with that? Is the erotic posing of children low risk?

Mrs May: I have to say, Chairman, that I find it abhorrent that anybody is looking at any of these types of images online. I think the point that the National Crime Agency are making is that they will prioritise action where there is the most potential danger in relation to children. Crucially they have changed the way they do that priority. They now take into account the nature of the individual and particularly their access to children. So it is not just about the image they are looking at, it is about whether that individual has access to children as well, so they get a clearer picture about risk.

Q165 Chair: Let me briefly turn to one area where we would like to pass on our thanks to you for the work that you have done on female genital mutilation. I do not think we can remember a time when a Home Secretary has been so focused on this issue, and thank you for your very full response to our inquiry that we conducted and your role in the Girl Summit. The two areas that we were very pleased about: one is that you are going to make it a criminal offence for those who fail to report FGM. We welcome that because that is something that we recommended. Secondly, on the issue of cosmetic genital operations, so-called designer vaginas, you have made it very clear that you think that this should be—as we have suggested and recommended—a criminal offence in the same way as FGM. We were alarmed to note that there were 1,150 requests for cosmetic surgery on genitals among the 18 to 24 year-old bracket over the last four years and this seems to be on the increase. Is that now your firm commitment that you will try to outlaw these so-called designer vagina operations?

Mrs May: We have been concerned about these particular operations taking place and, indeed, about the extent to which people identify these and for what they are, if I can put it like that. If I may, Chairman, I think if it would be helpful I am happy to write to you more fully on that particular issue so that you can see exactly where our thinking is.

Q166 Chair: That would be very helpful because one of the issues that we have highlighted is that many of these cosmetic genital operations take place in private hospitals and, therefore, they do not collate statistics. So when you look at this issue please bear in mind these are not NHS operations. This is done privately and there is no obligation to tell you or the Health Secretary numbers.

Mrs May: I will bear that in mind, Chairman, and we will write to you on this matter.

Q167 Chair: Excellent. Let us uncontroversially turn to immigration. Are you now satisfied that you will not reach your single immigration target? I know you referred to this in the “Today” programme as a comment by the Prime Minister. I think he has now said very clearly the target will not be met. Can you now confirm that?

Mrs May: Chairman, indeed, I myself said on a different BBC programme that I did not think we were going to meet that target and that we had been blown off course by the fact that we have been able to control immigration from outside the European Union, but of course there is this issue of free movement inside the European Union and that has meant we have not been able to control that aspect of immigration, hence the impact on the figures.

Q168 Chair: You cannot really control anyone who wants to leave the country. You cannot control, as Migrationwatch have said, emigration from Britain. Leaving aside the EU, if you set a target about net migration that must also include those who leave.

Mrs May: You are absolutely right, we do not control those who leave and of course there are three elements of coming into the country or leaving. There are those from outside the EU, those from other countries in the European Union and, of course, British citizens themselves. You see movement across into and out of the UK from British citizens too.

Q169 Chair: I know that Mr Clappison will pursue the issue of EU migration, but before I bring him in if I could turn to the John Vine report, the recent one, which indicated that basic checks were not being made on up to 200,000 migrants who apply for British citizenship every year. He quoted a number of examples, including someone who had committed murder who was given citizenship and a number of other foreign national criminals who had been given citizenship. Were you surprised or shocked at that report, as some of us were? When you pay a fee of £900 for citizenship, given that everyone regards this as being extremely important, one would have expected—and we do not hold you responsible, we do not think that you check every single application that comes through—your officials to be checking this. Somebody should be checking this, should they not?

Mrs May: I am grateful to you, Chairman, for the acceptance that I am not looking at each individual case myself. There are issues that the John Vine report produced. Of course some of the decisions that he was most concerned about were decisions where people had been granted settlement under the old asylum legacy programme previously, when discretion was exercised in relation to their residency requirements. That was based on the last Government's policy. This Government has tightened up the policy but it is an area that I continue to look at and will continue to look at the changes that can be made to strengthen the policy in this area.

Q170 Chair: Do you think your officials or the people looking at it know that we do not want murderers given citizenship? Is that now accepted in the Home Office?

Mrs May: What I am very clear about, Chairman, is that we have already as a Government tightened up the processes and we will continue to do so. What I would say, though, is that tone of the elements in relation to this of course is having full information about individuals. That is one of the reasons across the immigration system that we have been taking some of the decisions that we have taken that enables us to exchange more records with, for example, countries in the European Union, although it is not perfect by any means yet. We have taken a very strong view that we should be able to get more information about people's criminal records.

Q171 Chair: You lead us on to foreign national offenders and, of course, the other shocking statistic, which is that one in seven of those arrested nationally are foreign national people; one third in London and a third of them—only a third—are checked against ACRO, the records that

would tell us what their convictions were overseas. Now if you look at Greater Manchester they only check 8% of their foreign national offenders against this database. The British Transport Police check only 6% and Cleveland checks only 6%. These are lamentable figures, are they not? Should we not be checking all of them against databases from abroad?

Mrs May: It is obviously a matter for each police force as to what they choose to do when they are dealing with individuals. But of course what has happened in the last couple of years is greater interaction between our immigration part of the Home Office and police force. It is Operation Nexus. It started in the Metropolitan Police. It has now been rolled out to a number of other forces, so that when somebody is arrested it is possible to check their immigration status and, as a result of that, a number of people have been removed from the country that otherwise might not have been.

Q172 Chair: Yes, but 30% is a very low figure. I know it is up to local police but, as Home Secretary, wouldn't you want to see all foreign national offenders checked against this database? After all, you have police officers in Hampshire, in ACRO, doing this job. Shouldn't all local police forces on arrest check foreign national offenders?

Mrs May: What I would expect—you are tempting me, Chairman, as Home Secretary—

Chair: Well, please be tempted.

Mrs May: —to say to a police force, “Thou shalt do this”. I have taken a very clear view as Home Secretary—

Chair: What is your view?

Mrs May: —of the operational independence of the police.

Chair: Yes.

Mrs May: What I would say is that we are undertaking a number of exercises and doing a number of programmes to ensure that there is better information available to the police about foreign nationals who they identify and who they are arresting. Part of that has been Operation Nexus, which has been successful in that we have seen foreign nationals who have offended being removed from this country who otherwise might not have been removed from this country.

Q173 Chair: Excellent. So will you now publish the Operation Nexus inspection that John Vine wrote that has been with you since 26 June 2014? In fact, we put this to Mark Sedwill because we thought it was his fault. You are currently sitting on five of John Vine's reports: “An Inspection of Nationality”, which I think that you have just published; the short notice “Queen's Warehouses” report; “An Inspection of Overstayers” and “An inspection of Interviewing”. Shouldn't these all be published, Home Secretary?

Mrs May: They will be published at an appropriate time, Chairman, yes.

Q174 Chair: Why would you want to hold on to the Operation Nexus report for eight months?

Mrs May: The reports will be published, Chairman, as have the other reports. A number of John Vine's reports have been published. I think I am right in saying that in the last year we have published more John Vine reports than we did in the previous year.

Q175 Chair: We regard this as unsatisfactory. When you have a Chief Inspector who is independent, who is writing a report that he wants to see laid before Parliament, we accept that you might want to redact certain parts of it, but a seven-month delay is not acceptable. I know you are extraordinarily busy but we do think these should be published as soon as possible.

Mrs May: Chairman, as you will be aware, the Chief Inspector does an excellent job. He has highlighted issues that we need to address. He has particularly highlighted issues around the former UK Borders Agency, which I know this Committee has had views on for some time. Of course I abolished UKBA on the back of the information that was available to me and set up the new commands. So, yes, these reports do not always make comfortable reading for the Home Office, but it is right that he does an independent job and it is right that we look very seriously at everything that he proposes to us.

Chair: Indeed, and we would all like to share that view with you.

Q176 Mr Clappison: Home Secretary, it remains the case, doesn't it, that it is right for the Government to try to control immigration in the ways in which it is open for the Government to do so, principally, by controlling migration from outside the European Union—something that has not always happened in the past—and also by using the legal means that are available to us to control migration from within the European Union, again, something that has not always happened in the past?

Mrs May: Mr Clappison, you are right, immigration overall has been good for the UK but I think what people want to see is control in it. It is right that we have brought in a number of controls, for those who are migrating to the United Kingdom from outside the European Union, which were not available under the previous Government. We have also tightened up some of the rules in relation to some of the people coming from the European Union, for example, in access to benefits, which again was not done by the previous Government. So crucially, we have made a difference and of course for those coming from outside the EU, we have seen tens of thousands fewer people coming to the UK.

Q177 Mr Clappison: Some immigration is right for the country. As you rightly say, Home Secretary, we have all benefited from it. But if there is uncontrolled migration and huge population growth, then that puts pressure on the infrastructure, the housing and many other things. Are you aware of the statistic from Migrationwatch—who are usually a very reliable source on these matters—that between 1997 and 2010, net foreign migration amounted to almost 4 million?

Mrs May: I am aware of the figures that Migrationwatch have produced, yes.

Q178 Mr Clappison: There seems to be some questioning that that is the case but their statistics have time and again been proved to be accurate. I am afraid to say in the past more accurate than those in the Foreign Office itself, particularly when it comes to migration with new member states of the European Union.

Mrs May: It is certainly the case that when the so-called A8 countries joined the European Union and were given the free movement rights, the last Government not only took the decision not to apply the transitional controls so that we were—I think I am right in saying—the only major large country in the EU that did not apply those transitional controls but also, of course, led the British public to believe that the number of people coming would be relatively small when in fact, as we saw, the numbers were considerable.

Mr Clappison: Yes. I think I was a member of this Committee when we were told that 13,000 people would come.

Chair: Thank you, Mr Clappison.

Q179 Dr Huppert: Can I pick up on this issue about the John Vine reports first? He leaves office at the end of this year. Presumably you could give us an assurance that all of his reports will be published by the time Parliament dissolves, three months after he has left?

Mrs May: I am aware that there are a number of completed reports that are due to be published and I would expect, yes, that those would be published.

Q180 Dr Huppert: Good. I think we would like to see that at least before we go to the election. Can I then ask about the performance of the organisational aspects of UK Visas and Immigration? When you got rid of UKBA one of the things you pointed out was the inadequacy of the IT system. I would be grateful for an update of what is happening because presumably you are aware of the National Audit Office report about the immigration casework programme, which was closed at a cost of £350 million. The new Immigration Platform Technologies Programme, which I think is £209 million over four years. As I understand it—and according to the National Audit Office—there is still a huge amount of paper based working. How much progress is being made on computerising to make it easier for everybody to work with?

Mrs May: There is a major programme in relation to the IT platform that the various parts of the immigration system are working on. It is correct that the ICW programme did not deliver the benefits that had been anticipated for it, and it is also the case that the systems that are there have not had the appropriate levels of change and upgrading over time, so that people are operating with systems that do need a considerable amount of work. Hence the major investment that is proposed in the immigration IT platform work that is being undertaken but, yes, there is a lot of paper that is involved. There will always be elements of paper. When people are producing documents that have to be checked—for example, to verify certain aspects of the application that they are making—then of course almost inevitably there will be numbers of documents that are being looked at.

Q181 Dr Huppert: UK Visas and Immigration's 2014-15 delivery plan talks about going paperless, so they clearly think it is possible. I think we may all share some scepticism on that. As I understand it, the contract for support for the current casework system, expires before the replacement is supposed to come into place. What are you doing to make sure that gap is closed?

Mrs May: That is part of the work that those who are involved in looking at the development of the new systems are undertaking, is to make sure that there is no point at which it is not possible to undertake the work properly because there are not the systems in place. But you are looking at one change that has taken place and then obviously a future platform being put in place. I have

to say, Dr Huppert, your reference to being paperless, of course, in as far as possible in terms of the interaction between different parts of the system and so forth, we are looking to make this as paperless as possible.

Chair: Thank you. If I could just say to colleagues that there is a division at 6.00 pm.

Q182 Lorraine Fullbrook: Can I just clarify, Home Secretary, that the system will never be paperless because if you are asking people to supply birth certificates, marriage certificates, divorce certificates, it will never be paperless?

Mrs May: That is what I was referring to when I talked about people making applications and having to produce certain certificates. So there is work that can be done inside the Home Office in terms of how we operate, but when people are applying they are, by definition, going to produce some paper.

Lorraine Fullbrook: Absolutely. Thank you.

Q183 Paul Flynn: What have you done to encourage more asylum seekers to settle in your constituency?

Mrs May: I have to say with the process of asylum, there is a process for people who are asylum seekers and for whom accommodation is necessary. There is a process that is undertaken with a number of local authorities.

Q184 Paul Flynn: Yes. We are very short of time; Cardiff has 976 asylum seekers, which is more than twice the number in the whole of the south-east of England outside of London. Newport has 391. Your area has one, which is an increase on the number you had last year. The Prime Minister's area has none. The Chancellor's area has none. Is this a desirable situation?

Mrs May: I think what is desirable, Mr Flynn, is that—in looking at how it is possible to ensure that people are being accommodated where it is necessary to do that across the country—we look at doing that in a way that is both in the interests of the individuals but also is as efficient and cost efficient.

Q185 Paul Flynn: There are burdens on local services of health and schools with the number of asylum seekers. Isn't it right that those burdens are shared fairly and evenly, and isn't it true the country is not full up but certain areas are carrying a wholly excessive burden and other areas are doing nothing?

Chair: Thank you, Mr Flynn. Home Secretary?

Mrs May: There are a number of parts of the country that have particularly received asylum seekers. That has been true not just I believe under this Government but under previous Governments as well.

Q186 Ian Austin: Home Secretary, return to the "Vine Report", in the three months that you have had this report before it was published last week, have you checked how many people have been awarded passports without proper checks having been carried out?

Mrs May: If you are asking me if I know the numbers who have been awarded British citizenship over the last three months, I do not have that particular figure with me.

Chair: No, I think Mr Austin wants the numbers who have been awarded citizenship without proper checks being carried out.

Ian Austin: Without proper checks having been carried out.

Mrs May: No. What I have been looking at is how we should ensure that in future we are able to tighten up the system, so not just the checks that were originally there but looking at the definition of those checks and tightening up.

Q187 Ian Austin: Mr Vine has produced a report that says that lots of people—he doesn't know exactly how many—have been given citizenship without proper checks being carried out. You have had the report for three months and you have not bothered to check how many people this applied to. Can you tell me about the murderer who was given citizenship, have you identified this person? What have you done about this during the three months you have had the report? What steps have you taken to revoke his citizenship?

Mrs May: Chairman, I make a point of not talking about individual cases in front of this Committee. I am happy to write to the Committee on the normal arrangements—

Q188 Chair: I think the Home Office had issued a press release on this man saying that they have decided to suspend his citizenship. They obviously did not send you a copy.

Mrs May: Chairman, I—

Chair: But if you would like to give us further information we would be delighted to receive it.

Mrs May: I am very happy to give you further information.

Chair: Thank you.

Mrs May: Can I just respond to the point that Mr Austin made about the question that we look at?

Chair: Yes.

Mrs May: I repeat the point that I made earlier that quite a number of the cases that John Vine has spoken about were cases of people who were given settlement under the previous Government, under a regime that was different from the regime that we now have because we have tightened up those rules. It was the old asylum legacy system.

Chair: Mr Austin, I am afraid we must leave it at that because we need to deal with policing before 6.00 pm, and we do not want to just leave 13 minutes for policing. Yes, you have 30 seconds, Mr Winnick.

Q189 Mr Winnick: When the promise was made at the beginning of this Government that the number of people coming into this country would not be in the hundreds of thousands but in the tens of thousands, and it has in no way taken place, far from it, on what basis did the Government come to the view—the Prime Minister and yourself—of reducing it along the lines I have just mentioned?

Mrs May: This was a commitment that the Conservative Party had in opposition. It wasn't just something that we came at as a Government. The reason why we looked at those figures was that those were the sort of figures we were looking at in the 1990s and we believed that that was sustainable levels.

Q190 Mr Winnick: But you knew about the free movement of labour as far as EU nationals were concerned; you knew very well that that was not going to be renegotiated at that stage or indeed since the Government has been in office. Wasn't it an irresponsible pledge to make when you knew quite well that it was simply not possible to achieve?

Chair: Thank you, Mr Winnick. Thank you.

Mr Winnick: Perhaps we can have the answer.

Mrs May: It was entirely responsible for us to say that we recognised the concerns expressed by the British public, that we were willing to address those concerns and do something about this and, unlike others, we did not wish to move the conversation on.

Mr Winnick: But you had no evidence of that.

Q191 Chair: Thank you. I think you have your answer. We need to move on to policing but, before we do so, could we ask you to look again at the proposals to reduce the number of visa officers in Mumbai from 70 down to 20? You have also moved the visa decision-making from Dakar to New Delhi. We do not want a full answer now because time is pressing. But you know, because you turned up at the British Curry Awards recently, the concern of the Bangladeshi community that they cannot get their visas in Dakar. That the decisions are being taken in New Delhi. The same thing is happening to Mumbai, which affects Indian communities throughout the country. Would you look at that again, please?

Mrs May: I have already asked officials to do so.

Q192 Chair: Thank you very much. Let us turn to policing. I don't know whether you have had the chance to look at the article written by the Commissioner today, in which he talked about the cuts having an effect on the public, and talked about the need for mergers. Looking at that and also noting the comments of Neil Rhodes, the Chief Constable of Lincolnshire, where he says that his force may well be bankrupt in three years because of the cuts, what is your answer to now your most senior police officer saying that there is a problem as far as cuts are concerned?

Mrs May: Chairman, the suggestion that the way ahead for police force may be mergers is one that has been around for some time, as members of this Committee will be aware. I am very clear that if in a local area there is a business case for force mergers, a desire locally and there is local support for that, then we would be willing to look at it. I am also very clear—and I think the HMIC

reports have shown this—that there is more scope for police forces to be making savings in relation to greater collaboration among forces. The degree of collaboration varies considerably, and HMIC has pointed this out. I have always been of the view that it is possible to retain the local identity of the police force while making savings by getting efficiencies through collaboration.

Q193 Chair: You disagree with the Commissioner on this? You do not think that a structural change is necessary?

Mrs May: I have been very clear, and not just at this Committee but I say it to the police exactly what I have just said, that I think it is possible to get savings by retaining local identity but co-operating and collaborating between forces. There are some very good examples of that: Warwickshire and West Mercia, for example.

Chair: Thank you.

Q194 Michael Ellis: Home Secretary, just briefly on immigration, the Government has toughened up the nationality requirement for UK citizenship since it came in, hasn't it, following the Labour practice?

Mrs May: It has indeed. We have toughened it up.

Q195 Michael Ellis: You met PC Monk of Northamptonshire Police just a couple of days ago, who was attacked with a Samurai sword. Also in Northampton four people have been injured over the weekend in a knife attack in Bridge Street. The powers available to the courts and the criminal justice system in dealing with knife crime, do you think that they are sufficient and do you think that it should clearly be a highly aggravating feature to carry knives full stop, whether they are used or not?

Mrs May: Yes. Indeed, the Government has already tightened up in relation to how knife crime should be treated. We do think that this is very serious. I was pleased to meet PC Monk who exhibited, as most police officers do who have found themselves under attack like that, the humility of the officer who you will know, Chairman—because you go to the police bravery awards—said he was just doing his job despite having suffered significant injury as a result.

Michael Ellis: Can I just ask—

Chair: Sorry, order, Mr Ellis.

Michael Ellis: I just wanted to ask a quick question; a very quick question about the Mental Health Act.

Chair: No, sorry, Mr Ellis. No.

Michael Ellis: Mr Winnick asked a supplementary.

Chair: Mr Ellis, order, or you will leave the Committee.

Michael Ellis: No—

Chair: Mrs Fullbrook.

Q196 Lorraine Fullbrook: Home Secretary, I would like to ask, we have recently been doing an inquiry on policing and mental health and how successful the street surgeries that have rolled out across the country have been to both the mental health patient and to the police in terms of outcomes, in that they are not being used as ambulances. We saw recently in the news about the young girl who was kept overnight in a police cell, which is of course in nobody's interest. How much further are you going to take the street surgery angle and what else is intended for mental health issues?

Mrs May: Thank you. I have to say that the work that is being done with the police, the Department of Health and NHS England, in relation to mental health professionals being available to the police out there on the streets, has shown significant impact and in some areas nearly a 50% reduction in the number of people in police cells as a place of safety as a result. We have been reviewing sections 135 and 136 of the Mental Health Act and we will be publishing that report. One of the issues that I have been concerned about, which has in fact been raised by the Health Select Committee of Parliament, has been this issue of young people, people under the age of 18 being held in police cells. I think you can take that as a matter that is of concern to the Government.

Q197 Nicola Blackwood: To carry on on that specific point of sections 135 and 136, we have had a number of witnesses come in, including families of individuals who have perhaps died as a result of being taken to a police cell as a place of safety. Do you believe that there is ever an occasion when a police cell would be appropriate as a place of safety?

Mrs May: For young people—for people under the age of 18—I have to say I do not think that a police cell should be a place of safety. For others I would not want to see a police cell being used as a place of safety. There may always be a set of circumstances where it is the only place available where it may be necessary, but one of the things the Department of Health has put money into is in ensuring that in those parts of the country where there weren't alternative places of safety available, they are now available. I am thinking of North Yorkshire particularly. We are now working with a particular third sector group and the Police and Crime Commissioner in Sussex looking at how we can make more places of safety available outside police stations, and not just in health settings but also potentially in community settings.

Q198 Nicola Blackwood: Secondly, where you are dealing with a young person do you think the responder, where it is the police, should consider whether the home of the young person should be considered as the place of safety? At the moment it is not, as I understand it, usually considered as a place of safety and we should be looking at that in the guidance and the legislation.

Mrs May: I think that the outcome of our review of sections 136 and 135 will be published in due course.

Nicola Blackwood: I suppose I am asking you to consider that.

Mrs May: Yes.

Chair: We need to move on because there is a Division at 6.00 pm and I think the Home Secretary is unable to come back after that.

Q199 Yasmin Qureshi: I know that cuts have to be made and there is a reduction in police numbers but it is impacting a lot of people who have to call the police in an emergency and also the cuts in resources mean that all facilities that the police can provide to protect people are not being made available. I will give an example. Two weeks ago, I think just after 12 midnight, a car ran into the front of one of my constituent's wall. The gentleman came out of the house. He was able to grab hold of one of the persons driving the vehicle. The other made off. The person he grabbed hold of had quite a lot of money on him. It seemed they were some sort of drug dealers. Subsequently the next day a brick was thrown through his back window and in the home is his wife and two little children—

Chair: Ms Qureshi, could you ask the question? That is fascinating but we have only a few minutes left.

Yasmin Qureshi: No, no, the reason I am mentioning this specific case is that the following week the window was damaged again and the people called the police. The police came quite late and one of the reasons being given is that, first, they do not have enough manpower but, second, they said, "Could we have some safety cameras or something to protect us?" and nothing has been done. That is a lot to do with lack of resources. So I am giving that as an example of a real case, a real issue that happened on the street with lack of resources and lack of police—

Chair: Home Secretary?

Mrs May: I am pleased to say that if you look at how police forces have been using their resources, police forces up and down the country have been making every effort to ensure that the frontline is not damaged and indeed the proportion of officers on the frontline has increased. There are a number of ways—as I have indicated earlier—in which I think it is possible for police forces to be making savings through collaboration. But the issue we have just been talking about of mental health is another area where, for example, by bringing in Department of Health facilities you get not just a better result for the individual because they are being treated properly in a healthcare setting but it reduces resource requirements on the police.

Chair: I should ask you, are you able to come back after the division if there is one?

Mrs May: I am afraid I do not think I am, Chairman.

Chair: Dr Huppert, make it brief.

Dr Huppert: Thank you very much, Chair. Can I ask you about drugs policy not domestic policy? I think neither of us will persuade each other—

Chair: Very quickly, Dr Huppert.

Q200 Dr Huppert: You may be aware that the US Assistant Secretary of State, William Brownfield, has said that the UN Drug Control Convention should be reinterpreted to allow countries, which want to, to legalise entire categories of drugs, so allowing countries to have their own positions essentially and focusing on tackling those who are the criminal organisations. Would you agree with the US position on that?

Mrs May: You are suggesting should I agree that countries should be able to take their own decisions or whether I think that countries should be able to legalise drugs? I take a very firm view about the legalisation of drugs. I know there are others who have a different opinion from

mine. I do not think the legalisation of the sort of drugs that people are talking about is right at all and I think that the drugs—

Dr Huppert: But should other countries be able to make their decisions on this? That is the question. Not about the UK but should other countries be allowed to make a different decision?

Mrs May: I am not making a decision for other countries.

Dr Huppert: So you would support the US position?

Mrs May: I am not making the decision for other countries. I am very clear that the legalisation of drugs is wrong. I think drugs cause considerable damage. There are some drugs that people say should just be legalised because they do not cause much damage, which are gateway drugs to more dangerous drugs. I am—

Dr Huppert: I am not suggesting in the UK that we should.

Chair: Dr Huppert, let the Home Secretary finish.

Mrs May: I am not sure that Dr Huppert is saying are sovereign Governments sovereign. I think that may be the question underlying his question.

Chair: Okay.

Q201 Tim Loughton: On the question of mental health and policing, the Home Secretary might not have seen the project in Sussex where CPNs out on patrol with police, which is about to be extended to my constituency and has been remarkably successful. On the question of policing and children, Home Secretary, have you read the report from the All Party Group on children, which does reveal an alarming lack of separate child facilities for children as young as nine and 10 who are being arrested and brought into custody, and will she urgently be doing something about that because it is against guidance?

Mrs May: I have not had a chance to read the All Party Group's report but I will certainly go away and look at that.

Chair: That would be helpful if you would write to us.

Q202 Ian Austin: I am delighted that the police station at Bridge Road in Maidenhead is open from 8.00 in the morning until 10.00 at night, seven days a week. That is fantastic. But as a result of spending cuts and the unfair distribution of police resources, Dudley is set to become the largest place in the country with no police station open to the public at all, and I would like to ask whether you would met me, the PCC for West Midlands and other local MPs to discuss what we can do about the fact that, as a result of the funding formula, the West Midlands got £43 million less this year than the Government's formula says we should have and what you are doing to make this formula more fair?

Chair: It is Christmas. How could you refuse Mr Austin's offer? Give him an early Christmas present.

Mrs May: I am tempted to say that if I may, Mr Austin, I will make sure that it is possible for you to come into the Home Office and see either myself or the Policing Minister on this matter and I

am aware that there are concerns obviously. The issue with the funding formula is that there are those forces who, if there was a change in the funding formula, would benefit and those who, if there was a change in the funding formula, would lose out.

Chair: That is a good answer, Mr Austin. Take it. It is a good gift.

Q203 Nicola Blackwood: Even though do have a vote I am going to risk the Chairman's wrath and take us back very quickly to policing of immigration and Operation Nexus. It has been a great success in terms of identifying illegal immigrants and foreign national prisons and extraditing them. But when we had the Immigration Minister in a little while ago he said that it was going to be extended from London to forces around the country. So I understand it is in the West Midlands, Manchester and Scotland only at the moment. I just wonder what plans there were to expand that to other forces around the country, as I think it would be a very valuable exercise to be in all the forces in the UK.

Mrs May: I do not have the timeline available to me immediately but I could certainly write to the Committee and give the expected timeline.

Nicola Blackwood: Thank you.

Chair: Mr Ellis and then Dr Huppert.

Q204 Michael Ellis: Thank you very much, Mr Chairman, I really am extremely grateful. As far as section 135 is—

Chair: Thank you, Mr Ellis.

Michael Ellis: I am genuinely extremely grateful, Mr Chairman. Sections 135 and 136 of the Mental Health Act, do we have a problem there? We have heard evidence—and I know Mrs Blackwood has asked you about this—as far as individuals are concerned, who end up in these police cells rather than in places of safety. I appreciate, like everything else, it is all about resources but ideally, if the resources were there, could we get them out of police cells and into places of safety as a natural recourse?

Mrs May: I think what you have highlighted, Mr Ellis, is a real problem that we do have to address and we have started to address it in a number of ways. It is not only not so good for an individual, if they have a mental health problem, to find themselves in a police cell as a place of safety but also it takes often considerable resources from the police. Often they may have to have a police officer, for example, sitting outside the cell on watch to ensure that the individual does no harm to themselves. So I think the work that has been in a number of pilot areas and indeed extended by some forces—other forces have taken it up, even where the pilots have not been available—has been very beneficial in showing that you can give a better outcome for the individual in terms of that immediate problem that they are dealing with, the immediate incident. You can release resources to the police as far as the police are concerned, but also I suspect over time we may see that that might have a longer term effect if the individual's mental health problem at that point in time is dealt with properly as a healthcare issue rather than—

Chair: Thank you. We must move on. I have been very generous with you, Mr Ellis, as it is Christmas—

Michael Ellis: How unusual, Mr Chairman.

Chair: —and we have to be quick because even if there is not a vote I want to release the Home Secretary. She has been there for an hour and a half. Dr Huppert, provided it is brief.

Q205 Dr Huppert: Yes. We have not touched on the Counter-terrorism Bill. There is a lot we could discuss. Can I ask about one thing because David Anderson QC has written to the Committee with some concerns; in particular, about the fact that it does not add to the range of counter-terror laws that are subject to independent review. You know that he has been asking for some time for various measures, Anti-terror Crime Security Act 2001 and so forth—

Chair: Quickly, Dr Huppert.

Dr Huppert: —to be added. You have previously said that you felt his responsibilities should keep pace. Would you look again at whether his responsibilities could be expanded to cover these extra pieces of legislation?

Mrs May: We do look on a regular basis and listen obviously very carefully to what David Anderson says in relation to his responsibilities and the areas that he feels that he should cover, and we will continue to do so.

Q206 Mr Winnick: West Midlands Police are constantly informing me of the impact of the cuts, which are making life very difficult. No one disputes—certainly the Chief Constable does not dispute—that the work is being carried on. But the Police and Crime Commissioner has more recently written and replied to me over the closing of police offices in Walsall. Both the main police station and Bloxwich Police Station will be closed to the public. It won't be closed up but closed to the public. This is bound to have an effect. I wonder if you would be willing, in view of what you said earlier to my colleague, to look at the position. The West Midlands Police, for reasons that I do not think you would dispute for one moment because replies that have been received from you or your ministerial colleagues have admitted that the impact in the West Midlands financially is greater—because of the formula used over the years—than in other parts. Would you be willing to look at this matter again?

Mrs May: I am aware, as I tried to indicate earlier, that obviously there are forces that have consistently raised—not just the West Midlands but some other forces—the issue of the funding formula. This is not an overnight job looking at the funding formula for policing. As I have said, as soon as you start to change it there will be some forces that will benefit and others that will lose out. But the question of how we apply the funding formula and in any decision that is taken in any year it is one that we look at very carefully. I am bound to say that I think it is very clear that whatever the situation in the coming years there will still be a need for public sector restraint.

Q207 Chair: In conclusion let me say this, some of us were listening to “Desert Island Discs” when we heard your discography of your favourite songs. I noticed in one of your favourite songs there is the line, “Leave them burning and then you're gone” from “Dancing Queen”. If you were looking for a legacy for the last four and a half years what would that be? What would you like to have said you have done as far as the Home Office is concerned?

Mrs May: Over the last four and a half years, Chairman, I think we have done rather a lot in the Home Office. I will, though, share this with you, which is that when I first became Home Secretary one of the members of the senior Civil Service asked me what I would hope would be the case at

the time when I ceased to be Home Secretary, and I said I hoped the Home Office would no longer be the story. So I think I have a bit more work to do.

Chair: Indeed. We will see you once more before the election I think. May we wish you a very happy Christmas and a happy New Year? Thank you.