



Home Affairs Committee

Oral evidence: [The work of the Immigration Directorates](#)
[2014 Q2](#), HC 902

Tuesday 10 February 2015

Ordered by the House of Commons to be published on 10 February 2015.

[Watch the meeting](#)

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

Questions 1 – 89

Witnesses: **James Brokenshire MP**, Minister for Security and Immigration, **Mandie Campbell**, Director General, Immigration Enforcement Directorate, and **Sarah Rapson**, Director General, UK Visas and Immigration Directorate, gave evidence.

Q1 Chair: I welcome the Minister, Sarah Rapson and Mandie Campbell. I nearly started by saying, “Pass the salt”. This must be the farthest we have ever been away from you. It is nothing personal, I have to say. It is just the choice of rooms. The Metropolitan Police are preparing to move in next door and we can’t use the committee rooms at the other side, so we are over here.

Can I begin by asking you, Mandie Campbell, about foreign national prisoners? I am sure you have had the chance of seeing the report of the Public Accounts Committee, which was a damning account of the way in which the Home Office is handling foreign national criminals. 151 foreign national offenders were released without consideration for deportation and the report found that 760 foreign offenders are somewhere in the United Kingdom, including those guilty of serious crimes: murder, rape, kidnapping and other such crimes. Are you able to tell the Committee whether any of these 760 people have been found?

Mandie Campbell: Chair, the 760 relates to individuals who have been released over very many years. There was an original cohort of around 620 who were released before 2009 who absconded after that date. We have been notified of just over 1,200 who have absconded since 2009 but in the same period since 2009 we have located just over 1,100 individuals. Of course, the 1,100 who have located could be some of those who absconded since 2009, but the rate of apprehension of individuals who have absconded is very high, as you will see from those figures.

Q2 Chair: Yes. Just bringing the maths together here, how many are still on the run?

Mandie Campbell: The number is approximately 750 but, as I say, a large number of those will be individuals who absconded before 2009 and who have been at large in the community for very many years.

Q3 Chair: But there is no prospect of ever finding them? It is now 2015, so they have been at large for six years.

Mandie Campbell: We continue to look for them and to run their details against all our databases. Increasingly, we are data matching with information from other government departments and we are having some success with that. As you will be aware, Chair, we are also putting in a whole range of measures since the introduction of the Immigration Act last year to make it much more difficult for people to reside in our communities and access the benefits that they would have previously. All of that is encouraging people to leave the country who perhaps would not have previously.

Q4 Chair: How many of the 151 who were released without consideration for deportation are now out in the community?

Mandie Campbell: Only 10 of those individuals have not been contacted or relocated and only one of those 10 is an individual who was released within the last three years, so we have been able to reestablish contact. A number of them have been removed; those who have not been removed are being case worked as part of the process.

Q5 Chair: Of the 151, how many have been removed?

Mandie Campbell: I don't have that figure to hand but I can certainly write to you with it. Only 10 of the ones who were released without consideration are not in contact with us.

Q6 Chair: Being in contact and actually trying to remove them is a different matter. It is always nice to chat to these people, but at the end of the day I think the Committee and the public are more interested to know that you have got rid of them rather than chatting with them.

Mandie Campbell: Some of them will never be removed because what we have found, having made contact, is that a number of them are not eligible to be removed from the country as foreign national offenders. They may be long-term residents who have committed perhaps minor offences, and so some would never be part of the removals process. Others will be removed but are in the process of appeals or other applications, and some have been removed, but only 10 have not been contacted.

Q7 Chair: Minister, I saw and heard you in the House yesterday when it was put to you that the number we were removing was less than at the start of the coalition Government. You responded, I think to your opposite number, by saying the reason is that more people are appealing. Is that a satisfactory answer to the public as to why at the moment we are spending £27,000 on each foreign national offender?

James Brokenshire: I think it was important to put into context the work of this Government in having removed 22,00 foreign national offenders and the resolve that we have in seeing that

dangerous individuals who have abused our hospitality are removed. The facts are that there has been a 28% increase in the number of appeals and legal challenges and that has been one of the real issues that we have had to deal with as a government. It was part and parcel of the Immigration Act provisions in respect of single decision-making, the whole process of being able to remove people from the country while ensuring that they still may have the right of appeal but not within the UK, and how since last summer that has successfully removed around 400 people.

Q8 Chair: On your 6 January post on gov.uk you said, “Deport first, appeal later”. How many have been deported since 1 January?

James Brokenshire: I can’t give you the 1 January number. As I said, since the new arrangements were introduced in respect of this right of being able to appeal but not within the country, the numbers are in the order of around 400 individuals.

Q9 Chair: What is the date for that number?

James Brokenshire: That would be from July 2014.

Q10 Chair: So 400 have been deported under this “deport first, appeal later”?

James Brokenshire: Under the new arrangements, yes.

Q11 Chair: If you look back a year before that, how many were being deported?

James Brokenshire: We can write to the Committee with the year-on-year breakdown of removals of foreign national offenders. Last year it was more than 5,000 foreign national offenders. I think 5,097 is the number that springs to mind. So it is a question—

Q12 Chair: But it is still less than four years ago?

James Brokenshire: It is. The point that I am making is that against that backdrop we have succeeded in dealing with the issues of removing these individuals. If we look at the analysis on that cohort of foreign national offenders who were being removed at that time, I think it is not unfair to say that they were some of the simpler cases after this issue came to the forefront and therefore the emphasis that was being placed there. That is why the challenges remain around litigation. As this Committee will appreciate, it is documentation, where we are dealing with individuals who may be claiming to be from one country but actually they are from another country, identifying them, ensuring that we know who they are, and then documenting to see that they are removed. It is part of this very detailed work that we are engaged in.

Q13 Chair: Successive Ministers have said to the Committee over a number of years that they are all trying to deal with documentation issues, but if you look at the top 10 nationalities by total population in English and Welsh prisons you will see that four countries—Poland, the Irish Republic,

Romania and Lithuania—account for 2,700 prisoners of the 8,600. That is a huge total. What is the problem with the EU? Why are countries like Germany and others not ratifying agreements that Britain has signed in order to take back their own citizens into their countries? It is clearly an EU issue and there seems to be no progress. You have been before us on a number of occasions and every time you say that these discussions are ongoing, but nothing seems to change.

James Brokenshire: I think it is important to recognise that the proportion of foreign national offenders who are now being removed who are EU has increased. When we look at the overall number, the proportion now is above 50% who are EU. Countries like Poland, have now sought to take further steps to implement. They now have a period of around a year to get their position in place. So it would not be right to characterise that there has been no progress on this. It is an issue that we recognise of ensuring that EU countries are fulfilling their responsibilities and that we are able to remove people back to those countries, for the very reasons that you highlight.

Q14 Chair: But Ireland has not signed up to the deal, has it? At the moment we have 762 male Irish prisoners and 36 female Irish prisoners. That is the second highest number of all countries. If Ireland is not going to sign up to the deal, how do we expect other countries to do so?

Mandie Campbell: Perhaps I could answer that, Chair. The last Government signed an agreement with Ireland that neither country would return individuals to each other's countries under the prisoner transfer agreement. That is why for Ireland specifically we don't return people under the prisoner transfer agreement.

Q15 Chair: We can now assume that there are going to be no Irish people sent back?

Mandie Campbell: It is the same from Ireland back to this country as well.

Q16 Chair: Are you saying that there is going to be no Irish people to be sent back?

Mandie Campbell: No. They are not returned under the prisoner transfer agreement to serve their sentences in Ireland. The prisoner transfer agreement is different than removals that happen routinely.

Q17 Mr Winnick: John Vine, in his report on applications for British nationality published last December, found there was no attempt to make checks on applicants' criminal records in the country of nationality. Is it the Home Office policy to check if applicants for nationality have criminal records in their countries of origin?

James Brokenshire: I think there are two points on what you have just said, Mr Winnick. All applications for British citizenship are subject to mandatory checks, including security and criminality checks, and the inspector's report confirmed that all cases he sampled had criminality and security checks as well as those fitting profiles, for example, on issues such as war crimes. The point that you raise about being able to check information overseas, and therefore the information that is held overseas, is more challenging in terms of the availability of that information in respect of the countries that the individuals may be coming from, but it is not right to say that checks are not undertaken. They are. We do check our records clearly and carefully and that point was upheld by the inspector in his report.

Q18 Mr Winnick: Can I refer you to a case not of application for nationality but of someone who came into this country, arising from the terrible case of the young female who was murdered, Alice Gross? The person concerned, who came from Latvia, committed suicide. When I say the person involved, the police said afterwards, when discovering the body of the person, that they were not looking for anyone else. As I understand the position, he had committed a murder before he came into this country yet he was allowed in. Are you aware of the case?

James Brokenshire: I am aware of the tragic and appalling case of the murder of Alice Gross.

Mr Winnick: By the person concerned, Arnis Zalkalns. In 1998, he was convicted in Latvia of murdering his wife and served seven years in prison. Is that correct, Minister?

James Brokenshire: Yes, it is.

Mr Winnick: He is believed—and you will tell me if believing is right—to have moved to the United Kingdom in 2007. As we know, Latvia joined the EU on 1 May 2004. How had this person, who had been convicted of murder in his own country, been allowed into Britain?

James Brokenshire: We have various different ways of sharing information with other EU countries. The European criminal records information system is one part of that but it relies on governments actually putting information into that system. Mr Winnick, you may be interested to know that we will be joining the second generation Schengen information system and it has been confirmed that we will be joining on 13 April. That will allow European arrest warrants and other alerts to be shared. It is a question of having the systems in place but equally encouraging other European governments to ensure they are putting all the relevant information there. That is precisely why the Home Secretary made the points that she did when she was at the last Council of Ministers meeting in Riga, to underline that essential point.

Q19 Mr Winnick: Do you really think what you have just said, Minister, is any consolation to the parents of a very young female who died?

James Brokenshire: Of course not. The tragic circumstances of that case are utterly horrendous but I am simply underlining to you, Mr Winnick, the steps that we are taking to increase the amount of information that is there, that where there is—

Q20 Mr Winnick: Why not previously, Minister? Obviously it was the officials; you are the Minister but you must take responsibility with the Home Secretary. Someone who has been convicted of murder in Latvia and served what many, including myself, would consider an inadequate sentence was allowed into Britain afterwards and then carried out, as the police seem to believe, not doubt rightly, this terrible murder.

James Brokenshire: I say again that we are reliant on information being provided by other governments. Where that information is there it is entered on to our warnings index and people are stopped at the border and prevented from entering this country. That is precisely why I made the points in the terms that I did of strengthening that as much as we can do and therefore getting more information into the European criminal records information system. We will have further recommendations coming from the serious offending of mobile European criminals initiative that will be released at the end of this month. We are also joining the Schengen

information system II. It is always challenging ourselves of what more we can do to prevent crimes of this nature occurring.

I absolutely recognise the appalling circumstances of this case. The information that was available at the time was not entered and therefore it is recognising the steps that are being taken. Under this Government we have seen a 700% increase in the number of checks through the ACPO criminal records office of foreign offenders. This Government is placing real vigilance, focus and attention on it.

Mr Winnick: All I would say is that I consider the explanation inadequate and somewhat robotic. Thank you.

Q21 Michael Ellis: Isn't it the case, Minister, that the previous Government set up these transit arrangements and the checks that were in place have since been dramatically increased under this Government's arrangements with foreign countries, including European Union countries? Are we now finding that there has been an increase? I have also come across cases, including in my constituency, where offences have allegedly occurred where individuals have previously committed offences in other European Union countries. We are dependent on these countries telling us that people entering this country have criminal records in their countries of origin. Are we checking that now more than was being done more than five years ago?

James Brokenshire: Yes, we are. Since this Government came into office the police now are checking the criminal records much more rigorously. We have seen a 700% increase in the numbers that are being checked. That is important to see and we want to see those numbers increasing further. Those are the steps that are taking place in-country, so absolutely the police are doing many more checks than they ever did before.

Q22 Michael Ellis: Moving on to another point on this issue, when we have been unable to locate those who have absconded—and this may be for you, Ms Campbell—are we cross-referencing with other government departments to try to find them? In other words, do we have a data issue point here where one department might not necessarily talk to another about trying to find someone who has absconded, a foreign national offender or otherwise? Are we talking to each other, the DWP talking to the DVLA talking to the NHS, trying to locate people who may have been at large? You referred, in an answer to a question by the Chairman, to the fact that many of these people have been at large since before 2009. If they are still in this country they are bound to be using public services in one way, shape or form. Are we talking to those different departments?

Mandie Campbell: We are. We have done a number of things. One was a large share of data with DWP in the summer last year where we matched over 4 million Home Office records of a whole range of people who were absconders and other offenders against about 1.7 million DWP records. What that found was a very low match rate, less than 0.02% of people who had live benefits claims, and all of those have been investigated and followed up. What we are now doing every month is routinely sharing information about immigration offenders with HMRC to check whether people have a footprint in the tax system. We also exchange that information routinely every month with the DVLA to check whether people have a driving licence and therefore an associated address.

Michael Ellis: Right. So you are checking the other departments?

Mandie Campbell: That is right.

Q23 Michael Ellis: Finally from me, Minister, it has been reported in some quarters of the press that in order to encourage the countries of origin of many of these foreign national offenders to allow the return more easily of offenders back to their countries of origin, we have looked towards diverting some international development aid towards assisting their criminal justice systems and thereby strengthening their criminal justice systems, perhaps even their prisons, so that the foreign national offenders, who are not wanted in this country, can be returned to their country of origin. Is that happening?

James Brokenshire: The Department for International Development is working on capacity building, to use their terminology, which is about building systems, building the infrastructure within a legal system to be able to facilitate returns in this way.

Q24 Michael Ellis: Such as? Can you give an example?

James Brokenshire: I know that there are various different programmes. I can probably write to you to provide some further details on individual investments that the International Development Department is working on to strengthen those legal systems. What we want to see is speedier returns, documentation of individuals to get them back, and that is why we have individual steps taken on priority countries to work with high commissions and embassies to get foreign national offenders documented to see them returned. We are working at that end and also preventing people from coming into the country in the first place, which is why further steps such as joining SIS II are really important, as well as ensuring that our police are doing the necessary criminal records checks within this country. It is that combined approach that we are taking.

Chair: Sarah Rapson, we will come to you later, don't worry. We will have questions for you.

Q25 Dr Huppert: Can I turn to the issue of asylum? You were tackled by my colleague John Leech in the Chamber yesterday about the new proposals to force everybody to make new submissions in person in Liverpool. We started this session talking about the difficulties of distance when you are a few metres away. Can you explain why you find it necessary to instruct people who in many cases have very little money, maybe are destitute, to travel all the way to Liverpool?

James Brokenshire: I think it is important to note that these changes apply only to failed asylum seekers whose claims have already been refused, so we are talking about failed asylum seekers in this context. In respect of the further submissions, which is the point that you are talking about, this process has been operating successfully in Liverpool since October 2009. Its focus was on the unconcluded pre-March 2007 legacy cases and what the proposed changes represent is an extension of the further submissions unit in Liverpool to offer a consistent approach to the management of further representations. We believe that this is an appropriate and effective step to deal with it.

Q26 Dr Huppert: You said that it was because they had been refused, but do you accept that in many of those cases the reason for the fresh submissions are for other reasons? For example, many gay and lesbian asylum seekers, given the recent ruling that the original claims were decided

unlawfully, are reapplying, quite correctly because it turns out that the Home Office did not make the right decisions. Surely that is not quite the same category. Why should they have to travel to Liverpool?

James Brokenshire: In some ways it underlines the need to ensure that the further submissions process is properly managed so that any new evidence can be considered quickly and protection granted without delay where it is needed. So I think it strengthens the case for having this streamlined, simplified process of ensuring that those further applications are considered appropriately.

Q27 Dr Huppert: I agree that it should all be decided quickly, the delays are still far too long, but why is it sensible for a gay or lesbian asylum seeker in Plymouth, whose claim was refused on grounds that the Supreme Court has now said were incorrect, to be required to travel to Liverpool to reapply? How does that help with the functioning of any system? More importantly, Minister, just before you answer that, who do you think can pay for that for people who are often destitute?

James Brokenshire: I think that this will significantly speed up decision-making, to take your point on the need for humanitarian protection to be provided at the earliest opportunity and therefore see that those in need of humanitarian support receive it. The further submissions being lodged in person in Liverpool will allow us to consider most cases within five working days, so it is that speedy response that we are looking to provide. If someone has no current right of stay, we are looking to ensure that the situation is resolved quickly but, just as now, we will consider exceptional circumstances when further submissions may still be accepted by post, for example if an individual is unable to travel due to disability or severe illness. There will always be that flexibility in the system, as there is now.

Q28 Dr Huppert: But not for reasons of destitution. Moving on to another related subject—and we have had a series of written questions—would it be accurate to say that you are not minded to move on the position about taking more people from Syria? You will know there are now many countries around the world taking far more people than the rather tokenistic just over 100 that we have taken. Is there any prospect that you will revisit that decision?

James Brokenshire: I would not characterise the response that the Government has taken in dealing with the huge humanitarian problem in Syria as in any way tokenistic in the context of the pledges of around £800 million that we are now providing, which is directly supporting hundreds of thousands of people in the region. We do have the vulnerable persons relocation scheme, which is aimed at those in the most difficult circumstances and their families that will come with them. We believe that that is the best way the UK can have the greatest impact on providing our aid work for the majority of displaced Syrians and also targeting those in most need of support, and providing that through the vulnerable persons relocation scheme that remains on course to help several hundred, as we stated when it was first launched.

Q29 Dr Huppert: I think there is no doubt about the achievement in helping people on the ground and international aid has been a great tribute to this Government. I think we disagree over the small numbers.

One last question on a slightly different thing: there were discussions in the past about the rather unpleasant “go home” vans campaign. There is a new campaign to celebrate and not vilify

immigrants that is apparently being launched today by the Movement Against Xenophobia, with images of people who are immigrants here and now are doctors saving lives, entertainers making people happy. Is that a campaign that would get your personal backing?

James Brokenshire: I am very keen to confront xenophobia and extremism in all of its different forms in my role not simply as Immigration Minister but also as Security Minister. That is why we have an immigration system that is about controlling but still attracting the brightest and the best and ensuring that if there are people here who are contributing to our society, our country, absolutely we celebrate and welcome that. That is what makes Britain the great country it is.

Q30 Dr Huppert: So you welcome this poster campaign?

James Brokenshire: I must confess I have not seen the campaign. I am sure, Mr Huppert, you will be providing me with further details, but I think I have made my point well.

Chair: I have not seen this campaign and I am looking forward to seeing it as it develops.

Q31 Paul Flynn: Thank you, Minister, for the attention you have given to a particular case in my constituency and the letter you sent me on it, but if you could make a comment on the general situation. This person was subject to a deportation order. He served a long prison sentence. The judge said at the end that he was a danger to society and London, his home area, refused to have him back and he was dumped in my constituency. Within a few months he was found in a children's park in possession of illegal drugs, accused of resisting arrest, and on another occasion he was accused of the crime of robbery. You can imagine the outrage of my constituents at this situation and why on earth they should have to put up with this when clearly there was a risk involved. Do you have any general policy you can put in place to make sure that this does not happen again?

James Brokenshire: I am grateful to you, Mr Flynn, because I remember two or so of these sessions ago when you raised the case of Joland Giwa with me and the impact that this had had on your community. Obviously Giwa is now in custody and, as I have confirmed to you, as he has been remanded in custody in excess of 14 days his entitlement to bail accommodation in Newport has now lapsed. I think the case does highlight some of the individual challenges that we have in seeking to have people removed from this country. He has repeatedly claimed he was from Sierra Leone and denied any links to Nigeria, but our assessment is that he should be returned to Nigeria. That is where our work is focused on seeking travel documentation to see that this dangerous man is removed. It equally underlines our resolve on each of these individual cases to pursue and follow them through, but there are these practical challenges that we will confront. It is about identity and documentation but always having at the forefront of our minds that public protection issue.

Q32 Mr Clappison: Minister, thank you for your answers. I strongly support what you say about immigration control. We have heard the bid for relaxation of immigration control coming from the Liberal Democrats. The public strongly want to contain, want to keep immigration control and they also set their face against the free for all that takes place at Calais with usually young men brought there by human traffickers and trying to make their way to this country. Can I ask you to take a look at the experience of the last Conservative Government when it met the humanitarian problems of the Balkans? People were taken from the trouble spots of the Balkans and brought to this country who were recognised as being persecuted and in need of refuge and help, and that was found to be

very acceptable to members of the public and those people were made very welcome. Could you take another look at what is happening in the Middle East, particularly the activities of ISIL and the people who are being persecuted for religious reasons there, the Yazidis and the Christians, and compare the experience of the previous Conservative Government when people were brought here and look at the people who are in need there, particularly women and older people who have been persecuted and experienced terrible things? Could we find room for people who I think the public would accept genuinely have been persecuted and put through a terrible experience?

Chair: A succinct answer.

James Brokenshire: I certainly recognise the point that you make, Mr Clappison. That is one of the reasons why we have, for example, the Syrian vulnerable persons relocation scheme and, because of the extent, scale and nature of the challenges in the Middle East, our judgment is that at this stage the best result is to assist in-region. That is where the focus of the Government has been in having the most effect. I certainly recognise the strong emotional impact and the points that you make on that. Our judgment is that this is the right way forward but clearly we keep these things under review.

Chair: Thank you. Yasmin Qureshi has a question. I think we then have a vote and we will return.

Q33 Yasmin Qureshi: Minister and Ms Rapson, as a constituency MP I get a lot of immigration type of casework. One of the recent problems I have been having—and I wrote to the Minister about this and I have to say I was very disappointed with the response—is the new criterion that somebody has to be earning £18,500 before they can bring their spouses in. I am afraid to say that in Bolton and in parts of the north-west, £18,500 is an awful lot of money for most people to earn. Most people working 50, 60 hours a week get no more than maybe £10,000, £12,000 a year. A number of people have had to take two sets of jobs, one full-time and one part-time job. When those people apply they send proper letters from the employers. They also send payslips that show that tax has been deducted and there is evidence to show that the companies that they are employed by are registered with HMRC and people are paying their taxes. But apparently quite often when they are being paid in cash the Home Office or the immigration agency is insisting that once they get their money they have to go into the bank, put the amount in, then bring it out again to use. They have to do that every single week or every month, depending how they are paid, and yet that is not on the website of the Immigration Directorate. That causes a lot of problems for a lot of constituents. Can some common sense be put into this practice?

Chair: Thank you. You can think about the answer and when you come back we will be delighted to receive it. We will adjourn the Committee until we have a quorum.

Sitting suspended for a Division in the House.

On resuming-

Q34 Chair: The Committee is in session once again. Minister, I think Yasmin Qureshi was putting to you the issue of the £18,500 and the difficulty of proof.

James Brokenshire: Yes. There are a couple of things to say at the outset. The £18,600 figure that Ms Qureshi was highlighting obviously was a figure that was set by the Migration Advisory Committee and there was consideration as to whether there should be any regional difference that should be applied in respect of that, but the MAC decided that that was not appropriate. As Ms Qureshi will be aware, the approach the Government has taken on this has been upheld in the courts most recently. Therefore, it has been given that consideration on the—

Q35 Chair: Yes, we accept the legality. I think she is talking about the practicalities.

James Brokenshire: Of course.

Chair: We are not challenging that.

James Brokenshire: Yes. Obviously we do look at the rules and the practical issues surrounding this on evidencing whether the threshold has been met or not. Ms Qureshi, I think you have made the specific point in respect to payments going in and out evidencing that and the practical challenges that brings with it. I am certainly always willing to look at specific examples if there are practical issues that are being highlighted. It is certainly not to try to trip people up. It is rather ensuring we know that a case is robust and, sadly, with some of the fraud that is in the system, we have to have certain processes in place. I can say in good faith that we will certainly look at the specific example that you give of this payment in and out if that will be helpful.

Q36 Chair: We will send that to you. Sarah Rapson, in respect of the rules, if you are an EU citizen and you settle in the United Kingdom, as was the case with one of my constituents, and you want to bring a spouse from outside the EU, you do not have to show an income of £18,600.

Yasmin Qureshi: That is right.

Chair: That is right, is it not?

Yasmin Qureshi: Absolutely.

Sarah Rapson: Yes.

James Brokenshire: There are separate rules that apply in relation to EU settlement and certainly it is something that I think Mr Vaz—sorry for—

Chair: I did. I just would have expected Sarah Rapson to know that.

James Brokenshire: Mr Vaz, you will have noted that when the Prime Minister made his speech before Christmas about—

Q37 Chair: No, just tell us about the rules. We know about the Prime Minister's speeches. If you are an EU citizen who is settled in the UK and wants to bring a spouse from abroad into the EU, into the UK, you do not have to show that you earn £18,500.

James Brokenshire: There are the separate rules that apply and the UK—

Chair: No, we know that. Is it a yes or a no?

James Brokenshire: Yes.

Q38 Chair: Yes, thank you. We just need that clarified. The difficulty is explaining to constituents that two people living in identical houses next to each other, one who happens to be British born or a person with indefinite leave trying to bring someone from India, they have to show their £18,600. However, the next-door-neighbour who comes from Slovakia who has settled in Leicester and who wants to bring her spouse does not have to show that income. That is unfair, is it not?

James Brokenshire: You are right to highlight it in that way and it is something that in my time over the last year as Immigration Minister I have noted very carefully in the context of the representations I have received. I think it is something that needs to be addressed and, from my own standpoint I think it is something that—

Q39 Chair: Will you be going to your European colleagues and talking to them about this?

James Brokenshire: Yes, it is something we are concerned about in relation to settlement and marriage and the difference of application that is applied. I do not find that acceptable and it is something that needs to be addressed.

Q40 Chair: Excellent. If I can ask Sarah again on an issue of numbers: when the Government brought this in, obviously it was to try to make sure people were not reliant on public funds. Do you have figures to give this Committee as to the number of spouses who have applied for settlement as a result of the change in the rules, the introduction of the £18,600 salary limit? Not today, because I think you probably do not have them, but would you be able to supply the Committee with figures as to the number of settlement cases? Have they now gone down as a result of the new limit?

Sarah Rapson: Yes, and I am very happy to write to the Committee with those numbers. If I may go back to Ms Qureshi on the point of process as well.

Chair: Of course.

Sarah Rapson: I think you said that the website and the advice we were giving to people regarding how they can evidence their income was not sufficiently clear. I am very happy to take that away, as the Minister has said, to have a look at it myself to make sure we are very open and clear about how people can do that.

Chair: Excellent. The Committee is very grateful to you, Minister, for acknowledging the difference between an EU citizen who has settled here and a British citizen or someone with indefinite leave and we look forward to your representations once you make that to European colleagues.

Q41 Mr Winnick: When I raised the case that you spoke about, of course I realise you had no ministerial responsibility. It was a different Government, but the situation is the same. However, you said to me that there has been an improvement. I wonder if could refer you to the case of Professor Paul Kohler whose home was burgled. He was severely beaten up; a terribly case. Hopefully he is surviving and is making progress. He was attacked by a gang of people who came from Poland. As I have the information, Minister, they had convictions in Poland between 2005 and 2012. Presumably they must have come certainly after 2010. I am not making a party point about this because if I was making a party point I would not have raised the previous matter. My criticism was your answer, but I recognise again, and I emphasise, you had no ministerial responsibility whatsoever.

Chair: Would you like a quick chance to perhaps respond?

James Brokenshire: Yes. This is an appalling case and, as Mr Winnick has said, this was a situation where four criminals broke into the home of the lecturer, Paul Kohler, and subjected him to a brutal assault. I think what it does highlight, again, is the issue of information being provided by other member states into the European criminal—

Q42 Mr Winnick: Do we know when they came into Britain?

James Brokenshire: I am just looking at the notes that I have. I do not have that detail as to when they did come into the UK because—

Chair: Perhaps you could write to us.

James Brokenshire: It was four Polish nationals—

Q43 Mr Winnick: Was any information known to the immigration authorities that they had convictions in Poland? The very point I am trying to make, Minister, is that people are being allowed into this country who have serious convictions abroad and yet no checks seem to be made and we have seen what occurs.

James Brokenshire: To be clear, Mr Winnick, checks are made and where we have the information at the border then action is taken. The point is that we rely on information being put into the system by other governments to ensure we have the relevant details. I did make the point previously. We are challenging other governments to ensure that more information is provided and how the sharing information system is to strengthen that.

Chair: You have made that clear several times and we are most grateful for that clarification. Tim Loughton will take us to Calais.

Q44 Tim Loughton: I think when you came last time, the Chairman, Mr Winnick and I had just been to Calais and road-tested the new fence that came from the south Wales conference, which has subsequently blown down I saw but presumably has been put back up again. Has there been any change in the way the French are dealing with those 10,000 attempts a year, as has been estimated, to get through the port, those who are detected?

James Brokenshire: We continue to work closely with the French authorities and, as you rightly say, Mr Loughton, we have put further investment into the port infrastructure. The French authorities are setting up their own separate centre for welfare. We are not funding that, we are not supporting that, but we are working closely with them on identification of organised crime groups linked to trafficking and supporting them in the collaborative sense of protecting the border.

Q45 Tim Loughton: Okay, but the question was specifically: what is happening now to those 10,000 attempts? Not 10,000 people because there are multiple attempts and the reason there are multiple attempts is that when they are handed over to the French police they are taken two miles outside of Calais and released without any attempts at taking their identity, not even their fingerprints, and thus they are free to try again. That is obviously a nonsense. What pressure has

been brought to bear on the French to change the way they deal with these people who are trying to illegally enter the UK?

James Brokenshire: We have a regular dialogue with the French authorities and there is a quarterly meeting that takes place on migratory issues and that will be taking place in the coming weeks where we will continue to raise some of these very direct operational challenges. We have been successful in turning more people away at the border, the steps that Border Force has taken on identifying clandestine entrants and, equally, the police aux frontières the French authorities, as well on the steps that they are taking. But you are right in highlighting this issue of fingerprinting and it goes much further than France. It is other European countries as well, countries like Italy and the continuing representations that we make to the Italian Government on taking biometrics, fingerprints because in so doing it identifies where a migrant has entered the EU. For establishing the rights under things like the Dublin protocol as well, it is precisely this sort of information that is essential in establishing those links.

Q46 Tim Loughton: I agree with you that it is essential, but it is not happening, is it? That is the problem. By the time they have reached Calais it is effectively too late. The fact that there are still somewhere between 2,000 and 2,500 of them there suggests that they still rate their chances at being able to get across, notwithstanding some excellent efforts, as we saw, being made by Border Force. This problem is not going to go away until the French treat it seriously, identify those people who are captured and take them out of Calais, preferably out of France and preferably out of the EU. The French appear to be doing absolutely nothing about it, so what pressure can we and are we going to bring to bear on the French to get rid of the problem away from Calais on our border?

James Brokenshire: I think it would be incorrect to say that the French authorities are not doing anything about this. One very practical step they are taking is underlining the ability of the migrants to claim asylum in France, if they are fleeing persecution and are seeking asylum to use the rights they have in France to make their claim. The French authorities are taking that step and we are supporting them in that action and they are seeing more asylum claims in France. In any event, the French asylum claims are more than double our own in this country, but we are working with the French to underline the robust system we have here and the manner in which we deal with asylum claims and indeed the French authorities are taking those steps.

Q47 Tim Loughton: But the reason they are going to Calais is for one purpose only and that is in order to gain entry into the UK without, in the vast majority of cases we have seen, having any grounds on which to do that. The French may be intercepting and processing more asylum claims than other parts of France, but the numbers in Calais have not been diminishing. What can we do to get the French to take the problem away from Calais and deal with it more effectively, as we are dealing with it more effectively with other people who come to this country and they are deemed not to have a right to remain here?

James Brokenshire: What I would say is the French are seized of this issue because of the numbers—

Tim Loughton: “Seized of this issue” is not the description that we saw.

James Brokenshire: No, but they absolutely take this issue seriously in the context of just not our own relationship with them but also with other European countries as well. When I make the point about other European countries at the border entering into the EU, it is not simply the UK

making these representations. It is absolutely the French Government as well because of the pressures they see building in northern France. It is that joint effort that we are taking with the French and other governments as well, recognising the increasing pressures of asylum across the EU. In the UK we have seen a small increase but when we look at the increases in France, in Germany, which could have well over 100,000 asylum applications this year, this is a pan-EU issue where we see that overall approach.

Q48 Tim Loughton: I entirely see that and I do disagree with you. I am specifically focused on those 2,300 or so migrants who are camped quite openly, quite blatantly, often having been trafficked at great cost and great distance and ended up in Calais. Do we know how many of those people, who have been apprehended by Border Force or French police or whoever in the vicinity of Calais, have been removed from France to their country of origin? Do we know how many of them—

James Brokenshire: We do not know that number.

Q49 Tim Loughton: Do we know how many people who have been accused of people trafficking, specifically of those migrants into Calais, have been prosecuted?

James Brokenshire: I do not have those details to give to you this afternoon, Mr Loughton. I can certainly say to the Committee that I will make further investigations to see what information I can share, because this issue of confronting people trafficking and organised criminality is absolutely something that we take seriously with the French. There is joint working that takes place between our two governments. There is a specific intelligence cell that is established in Folkestone to better connect our intelligence to confront the organised crime groups linked into all of this. It might be helpful if I wrote to the Committee with those further details to give you a sense of the rigour that is being applied.

Q50 Tim Loughton: That would be helpful, because I know we take it seriously; you take it seriously; the Government take it seriously. I know the French say they take it seriously, but certainly those migrants we spoke to at Calais seemed to be fearful of very little from the French in terms of being removed and the implications of what is the downside of constantly trying their luck to get through the border. I would hazard that very few of those migrants who have been in those camps in Calais, as well as very few of the actual traffickers who we saw openly living alongside some of these migrants in some of these rundown places in the middle of Calais, have been prosecuted either. I think we need that sort of information to be able to confront the French—it would help the Mayor of Calais enormously, who certainly does not want the problem on her doorstep—and to encourage them to take this seriously rather than just saying they are taking it seriously and trying to make it our problem rather than their problem.

James Brokenshire: We have a joint arrangement, something that we call Operation Ground Breaker, which I was alluding to on this joint working. Since February of last year there have been 35 live investigations on that and 11 organised crime groups disrupted. There is very practical joint work that is taking place because of those very serious issues that you highlight. While I note the observations that you made on your own visit, there is seriousness within the French Government. There is pressure within the French Government because of the numbers that are in northern France. I certainly would not characterise it as not taking this seriously.

Of course there is more that needs to be done. That is why we are seeing the investment into the port infrastructure and the steps that we are taking with Border Force to identify clandestines, but it is that European aspect and also beyond our shores as well, looking to the African Union, North Africa, those who are in Libya at the moment and Turkey as well. There are a number of different countries that are linked into this and that is what initiatives such as the Khartoum process, which I attended the launch of just before Christmas, are absolutely focused on; delivering that more joined-up approach, on looking at not just our shores but also looking upstream at where the people are coming from in the first place.

Q51 Chair: Mr Loughton is right. I think all of those of us who went on this visit were shocked with the impunity in which those who had arrived in Calais believed that they would end up in London. It was very clear they were not going to go away. They were not going to leave Calais until they had arrived in the United Kingdom. I had an e-mail this morning from a driver who transports horses throughout the EU. He arrived in France and there was a noise in the back of his truck and it turned out an illegal migrant had entered somewhere between Spain and France. He drove his vehicle to the French police and he said there was an illegal migrant in there and the French police officer did not do anything. It was left to this individual, this British citizen, to chase the migrant out of the truck himself and then lock the truck again. That is just one example. Mr Loughton says the vision may be there, the willingness of the French Government, of Paris and London to do something about it, but at a practical level this may not be happening. I think the Committee's view is we need to do this at a practical level. We do not doubt your willingness to do something—

James Brokenshire: I entirely agree and the sort of example you give is very concerning to me and I would like more details to be able to take that up with the French authorities.

Q52 Chair: I will send it to you, but you have also heard from Sir James Paice in the Commons during Home Office questions how so many of his companies are affected because illegal migrants are jumping in the back of food lorries and by the time they arrive to be sold all the produce has to be destroyed. This is an EU problem and the EU does not appear to be stepping up to the plate.

James Brokenshire: On the issue of hauliers, I have maintained regular contact with the Road Haulage Association and others because of the seriousness that I attach to this issue and the pressures that are being put on hauliers, hence the reason for my comment on the individual case. If that is there, I would like to know about it and I would like to take that up with the French authorities.

On the livestock issue, again I intend to meet with industry on that to understand the particular problems and use that to add further pressure and make further representations in this way. There is a willingness there at the political level, but we all need to work together to confront it at each different layer where it occurs, whether that be in northern France or on the southern Mediterranean shores.

Q53 Chair: Sarah Rapson, let us move to customer service. One of the things you said to this Committee on your appointment was that you wanted to ensure there was better customer service coming from Visas and Immigration. I think all of us, certainly from my point of view, want to report the fact that we are getting replies much quicker than we have ever received replies before. You are the fourth head of Visas and Immigration to sit before us but the only one who seems to have made

a difference. We are getting responses back much quicker. There may not be everything we want in those responses but we are getting a reply that we can send to our constituents. That is to be commended, so you are to be commended today for what you are doing.

You promised to boost the importance and relevance of account managers because many of us write to these account managers. We do not go through the bureaucracy of Visas and Immigration. We know there are many steps between the immigration officer and you sitting at the top of the pyramid. Have you managed to increase the role and the authority of account managers so when they write on behalf of Members, when we write to them, those more senior know they have to be treated seriously?

Sarah Rapson: Yes. We have six senior account managers across the UK. When I talk to them, they tell me they feel empowered to be able to problem solve on behalf of you and others. Whenever I take a trip to any of the different offices across the UK, I always make sure I go and check in with those highly-motivated teams. They are very proud of the fact that, for the first time in corporate memory, we are replying to MPs' letters within service standards, which means within 20 days, and that we are doing much more to make contact with MPs through the use of e-mail or just ringing people up to say, "Here is the answer", rather than the longer process of sending out a formal letter.

Q54 Chair: How have you managed to do this when all your predecessors going back 20 years have been unable to do this? What has changed? What have you done? You do not have more money, do you? You have less money.

Sarah Rapson: If you do go back to the rationale that the Home Secretary took for splitting UK Visas and Immigration and Immigration Enforcement, it has enabled us in UKVI to be much more explicit about the service we offer to customers, and I think giving MPs, as customers, great service is one of the things that has been a focus for us. There are lots of other areas where we have improved customer service as well. We have invested significantly in the premium service centres. All of our customer-facing staff are now in business dress. We have more appointments in the premium service centres than before. We are on track, by the end of this financial year, to be accredited for customer service excellence right across the whole of the command. We have been able to have a focus and a culture that perhaps UKVA, that defined itself as a law enforcement agency, was not able to fully do.

Q55 Chair: Your Q3 data suggests that there are an additional 390 new members of staff, including 100 agency staff. What are the 390 new members of staff doing?

Sarah Rapson: In the difference in the Q3 staffing numbers there is a bit that is just an adjustment. The vast majority of additional staff have come into the asylum part of UK Visas and Immigration to replenish the fact that we lost quite as many people as we did when the restructure was put in place over a year ago now.

Q56 Chair: One issue that has caused a lot of concern is your decision—because it was your decision not the Minister's decision—to reduce the number of immigration officers in Mumbai from 100 down to 30, as well as moving the decision-making in a country like Bangladesh, where there are almost a million Bangladeshi diaspora in this country, from Dhaka to New Delhi. This goes against the grain in terms of the decentralisation of visa services that have been going on for almost a

generation. I declare my interest, having started the decentralisation in the creation of the VACs almost 15 years ago. Why have you done this when if local people need to be interviewed they should be interviewed locally? Why have you reduced so many members of staff in Mumbai?

Sarah Rapson: The first thing to say is that we have looked at this very carefully and the changes that we make in India will be done over a period of time to make sure there are not the impacts you have just described. The move that is happening is the back office from Mumbai to New Delhi. Customers will be able to, as they can now, go to any one of the 12 visa application centres we have in India. It should make no difference for customers because they will still be able to turn up in the usual way.

Q57 Chair: The VACs have always been there, but you are reducing the number of entry clearance officers. What they are saying in the British Bangladeshi community is that they do not want decisions concerning their visas in Dhaka and Sylhet being taken in New Delhi. They want it to be taken in Dhaka so if there is a problem and they need to be interviewed—as you know this Committee has always said the way to deal with sham marriages and illegal entrants and students who do not want to come here and study as students is to interview face to face. How can you interview face to face in Dhaka when the decisions are being taken in Delhi?

Sarah Rapson: We have a lot of experience now of interviews that can be conducted using video-conferencing technology. It is certainly something that we do. I think you have been to our Sheffield hub.

Chair: But that is Sheffield.

Sarah Rapson: There are different ways of interviewing across boundaries, but we still will retain a presence in Mumbai. The overall staffing reduction is 25 full-time equivalents. We will still retain the RALON team, which is the intelligence group that works for Ms Campbell. It is not that we are closing down the centre at all. We are moving the decision-making, but the intelligence requirements will stay in Mumbai.

Q58 Chair: If you need to be interviewed in Mumbai, you will have to fly to Delhi, won't you? Do you have your system in place so that you can be interviewed by Skype between Mumbai and Delhi? Is it in place now?

Sarah Rapson: You would go to a visa application centre and they have the technology in any one of those. Yes, so you can do it.

Chair: You can do it now?

Sarah Rapson: Yes.

Q59 Chair: You are telling this Committee that there will be no change to customer service in Dhaka because you could go into the high commission in Dhaka or to a VAC in Bangladesh and be interviewed for your visa from Delhi?

Sarah Rapson: You would go into the local visa application centre rather than into the high commission itself.

Q60 Chair: But you will not see an entry clearance officer, because VACs do not have entry clearance officers, do they?

Sarah Rapson: No, that is correct, but through Skype you would be interviewed by an entry clearance officer located elsewhere.

Q61 Yasmin Qureshi: While the response from the agency has got better, I have to say the quality of the decision-making still has not improved massively and I do wonder what kind of training is given to the officers or the staff who are determining whether they grant visitor visas or spouse visas or whatever. I am not saying that just because every one of my constituents comes they have a strong case. There are some who will have weak cases and there may be problems, but I can honestly say, as a former barrister looking at some of these cases, it flies in the face of the papers that those people should have been granted their visas or applications. We keep having to appeal against them and there was a time when we could ask the Home Office to reconsider the decisions administratively, but now they are saying that unless and until you put an application for an appeal for the tribunals, they refuse to reconsider. That means somebody has to pay £150 to be able to access and a lot of those decisions are still quite wrong. Is anything being done to address the quality of decision-making?

Sarah Rapson: I would offer three separate points if I may. First, we have just launched in UK Visas and Immigration an operating mandate that defines the minimum mandatory checks that all case workers must do on every case and we have backed that up with training, so over the last few months all case workers have been through quality training. The other thing we are piloting and we will roll out is a new decision quality assurance framework taking the best from where we make good quality decisions across the whole of UK Visas and Immigration, increasing the levels of sampling that we do, for example, and making that much more systematic. Those two things are important, but we will always need to continue improving the decisions that we make because, in the end, all the decisions are made by human beings.

The third point I was going to make was the introduction, through one of the provisions of the Immigration Act, of the new administrative review that we are doing in-country. We have done it internationally for some time. It works well and we are just starting to do that in in-country operations now, which I think will help. It will give us an opportunity for those cases where people do want us to have another look at the case to do it without then going into the legal process.

Q62 Yasmin Qureshi: Yes, but recently you had two cases where the immigration people refused to reconsider my letter to them. They said, “We will not relook at it unless and until the people put in an application to a tribunal”. They refused.

Sarah Rapson: The new administrative review provisions under the Immigration Act have just come in. It may well be there is a timing issue with the previous request. I think this will help and it will avoid cases that do not now need to go to appeal and having to go further into legal process.

Q63 Chair: We are coming to near the end of this session. Just carrying on from Yasmin Qureshi, as we have said in numerous reports the clarity of the refusal notice is paramount. If it is clear, with clear blobs explaining why it was no, then Members of Parliament at their surgeries on a Friday or

Saturday are able to explain why they were refused. If it is just one big essay of text, without breaking it up into simple sentences and simple language, people write to us or they come and see us. We then write again and a paper trail begins. That is the message and I think you have received the message. You may be saying no but you are saying no with clarity, which is all we want in terms of information.

You promised on the last occasion you were here to tell us about Teleperformance because we were very concerned that Teleperformance, having signed a multimillion pound contract, did not start their operation in Africa and Russia. I think they were given 74 countries in terms of applications. Are they now up and running in all 74 countries?

Sarah Rapson: Yes, they are, bar three areas for reasons not within their control. A security situation in Duiem and Khartoum and the political situation in Mombasa means that we have either kept it in-house or have decided not to open up, but everywhere else that was in their plan they are now up and running, yes.

Q64 Chair: Have they been fined for failing to deliver the contract as they agreed with the department?

Sarah Rapson: Yes. Where in a few markets, particularly in Africa, they were unable to open in time and we kept the provision through the other provider, they covered the financial cost to the other provider and also to the Home Office. It was not necessarily a fine, but they did meet the costs of that.

Q65 Chair: They paid the consequences?

Sarah Rapson: Yes, they did.

Q66 Chair: Are lessons to be learned from this exercise in procurement?

Sarah Rapson: I would expect any kind of transition of this to have its difficulties at the beginning and what you do is you improve things as you go and you learn for next time. They were new to this type of work and I am sure within the organisation they have also learned about how to do this well.

Q67 Dr Huppert: Just very briefly and I hope it has not been covered—apologies for having to pop out—on exit checks, we have had commitments from you, Minister, and from the Director General of Border Force, who we will hear from shortly, that they will be 100% in place by 31 March 2015. That date is getting very close. Are you still confident we will hit it?

James Brokenshire: As you rightly point out, in relation to exit checks we are, as the programme is moving forward, seeking to take 100% of those within the scope of the programme. The reason I frame it in those terms is that there are certain exceptions. It does not cover, for example, the common travel area. It is about getting those swipes of information as people leave the UK on their passport or identity details so that we are able to get a whole host of new information to then look at enforcement and the visa process. Therefore, yes, very much it is that stance we are taking.

Q68 Dr Huppert: With the slight caveat about the common travel area, which I accept, for everything else that was in scope you think we will hit 100% by 31 March?

James Brokenshire: I remain confident that we are on track.

Q69 Chair: Minister, you do realise that there is only six weeks to go?

James Brokenshire: If I may, the discussions we have had practically and pragmatically with industry, we have determined that the start date should be 8 April just to ensure that it is all working forward, and we have been working very closely with industry around all of the preparations for that. Yes, I remain confident in the work that is ongoing. It is a complex project because it is the work at individual ports, the individual solutions that those ports are putting in place, the fact that we are dealing with air, rail and also maritime, and the different challenges that each of those environments provide. We remain confident that we will be delivering exit checks on 8 April. We want everything to be ready on 1 April—

Q70 Chair: 100%?

James Brokenshire: 100% of those in scope of the programme.

Q71 Chair: We need to understand the scope of the programme. It sounds like a caveat to me. Is it like the immigration target?

James Brokenshire: No, it is not like the immigration target. I have said that it is those within scope because there are those exceptions that we have flagged. There will be exceptions to it like the common travel area. There are others. It will not take into account general aviation or general maritime, and certainly we are looking at risk-based issues on those exceptions. I am not trying to in any way move away from the programme that we have.

Chair: It sounds like a little wiggle here.

James Brokenshire: We are very clear on the exit checks programme, on the need to ensure we are taking those passport swipes. We are using advance passenger information in some circumstances, passport swipes and using the technology that I think, Mr Chairman, you have seen on swiping the passports through—

Q72 Chair: I have, but I have also seen people out at Dover who said they could not do it in time because the change to technology would be so great. If it is going to be 100% by 31 March, what is it now?

James Brokenshire: At this stage there is aviation, which we are using advanced passenger information on, and we are currently at around 96% of that. You will no doubt hear in your next evidence with Border Force on the lack of API, the advanced passenger information, we have from certain airlines; closing that out through the—

Q73 Chair: We have 96% on aviation?

James Brokenshire: Correct.

Chair: What about Eurotunnel?

James Brokenshire: Eurotunnel at the moment is at zero and that is what is being introduced on 8 April.

Q74 Chair: That is 10 million people annually, from zero to 100%.

James Brokenshire: The point is that it is about implementing a measure at the port at that time.

Q75 Chair: But, Minister, you do know the busiest time of the year for some of these operations is Easter holidays going over to France?

James Brokenshire: That is precisely why we have said on the introduction of what is a new process that it is sensible to do that after the busy Easter weekend, and hence the reason I responded to Mr Huppert in saying that we were looking at 8 April.

Q76 Chair: It is zero at the moment, but you are confident it will be 100% for the 10 million passengers coming on the Eurotunnel shuttle by 8 April?

James Brokenshire: We are confident that we will have the exit checks in place in relation to each of the different modes of transport.

Q77 Chair: At 100%?

James Brokenshire: It will be of the 100% that is in scope of the programme, as I have indicated.

Chair: We must define what “scope of the programme” is.

Q78 Ian Austin: When you said this target is not like the immigration target, is that because you think they are going to meet this target?

James Brokenshire: Mr Austin, I know the whole issue of net migration is one that you have quizzed me on over the course of the different sessions that I have appeared before this Committee. As we have indicated, we have been blown off course in relation to that because of EU migration but, in relation to exit checks, I remain confident that exit checks will be introduced on 8 April covering rail, maritime and aviation and we will meet our coalition agreement commitment to the introduction of exit checks.

Q79 Ian Austin: We are now clear that the immigration target will not be met. Do you think it was a wise target to make in the first place?

James Brokenshire: I think having a measure that is looking at the pressures of net migration is a good measure to use.

Q80 Ian Austin: Yes, I agree with that, but this particular target was an arbitrary figure when there was no realistic prospect whatsoever of it being met as well. If there was a realistic prospect of it being met, you have completely and utterly failed, haven't you? You were told at the time there was no prospect of success.

James Brokenshire: The reason I think it was appropriate at that time was because of the experience of EU migration, which had tended to net itself off. However, the experience we have seen over recent years is a significant increase in net migration from within the EU and EU citizens staying rather than returning, which has been a very different pattern to that which has been seen for years before this Government came into place. That is why I make the point in the way I do, Mr Austin.

Q81 Ian Austin: Do you think that setting a target and missing it so badly will have increased or diminished public confidence in the process of government when it comes to migration?

James Brokenshire: What I say is that this Government has been successful in cutting net migration from outside of Europe. Where we have had those direct levers it has had an impact and that will mean that it is down by around 50,000 under this Government. What we have shown is that, where you have those direct levers, you can have impact and that is what the figures have shown. Where the challenge has come has been this change in pattern from EU migration. This is a complex issue and, as we have spoken about in this session, of all of the different routes, whether that be students, family or business. Therefore, it is seeking to underline the complexity but at the same time the resolve of this Government, which had not been seen previously.

Chair: I am not keen to open a debate on this issue now but Mr Clappison—

Mr Clappison: I think a debate has been opened. If we are going to go over this ground—

Chair: You have the right of reply, Mr Clappison.

Q82 Mr Clappison: Yes. If we are going to go over this ground, do you think it is likely to increase public confidence that at least the Government have made an effort to control net migration even though it has been obstructed by EU membership, which, as we know, is something that other people are very enthusiastic about and some of us not so enthusiastic about?

James Brokenshire: I think this Government has taken very important steps to reform the immigration system by breaking up the old UK Border Agency, which is having direct impact on the efficient way we deal with this, that we have 100% checks at the border through Border Force, and that we have that resolve in bringing net migration down to long-term sustainable levels. Yes, I think it is that resolve and the Prime Minister was right in his speech before Christmas in underlining the steps that need to be taken on welfare reform and renegotiating our arrangements with the EU, which I think is the next step in dealing with this.

Q83 Mr Clappison: Two other points on the question of what is likely to engender confidence. Do you accept it is very important, given that we have very little control over what happens with the European Union, that we do maintain firm control over immigration from outside the European Union

and avoid the experience of previous years when we saw increasing immigration from within European Union and then increasing immigration by way of permissions given by Government from outside the European Union as well?

James Brokenshire: It is important that any immigration policy deals with EU and non-EU migration. While we have made the changes that we have to the points-based system and the effect that it has had on different routes, whether that be family settlement, student visas and also in relation to the cap that has been placed on our tier 2 employment visas, you are absolutely right, it has to cover both of those and that is what we committed to do.

Q84 Mr Clappison: Secondly, what little we can do within the EU, one of the things we can do is maintain transitional controls when new members join the EU. Can you tell me if the Government has learned from the experience of previous Governments, which was one of the few countries not to impose transitional controls over new member states? Will this Government give very serious consideration to maintaining transitional controls such as we are allowed to maintain?

James Brokenshire: I will answer briefly because I can see, Mr Vaz, you want to move on to other things, but I think this is a very serious issue. Where we have new entrants to the EU that may not be at the same level of economic development as other EU member states, the transfer of people from one country to another, the pressure that brings on the receiving country, the flight of potentially skilled employees from the other country, I think we do need to ensure that, where we are looking at transitional arrangements, to enjoy the full rights of full movement there must be some measure of economic output per head of population or something similar to deal with those pressures.

Q85 Chair: I think you were reluctant to confirm last time, but you can confirm today that the target will definitely not be met?

James Brokenshire: We have been blown off course as a consequence of the pressures of EU migration and I think that is a point that has been made by the Prime Minister and also by the Home Secretary.

Chair: I have allowed Mr Flynn a last question because it was his 80th birthday yesterday. So this is his birthday treat, to get the last word.

James Brokenshire: Well, congratulations, Mr Flynn, and a very happy birthday to you for yesterday.

Q86 Paul Flynn: Cardiff has 960 section 95 asylum seekers, more than in the whole of south-east of England outside of London. The constituencies of the Prime Minister, the Home Secretary and the Chancellor of the Exchequer have a total of two between them. When is the Government going to make progress to make sure that the burden that communities suffer by taking in asylum seekers is shared evenly?

James Brokenshire: Can I say I congratulate and welcome the work of a number of local authorities who take their responsibilities seriously in accepting those asylum seekers and ensuring that they are well established within their communities. You make an interesting point around how we can expand the number of local authorities that are taking steps. I am considering carefully how we can encourage more local authorities to receive and indeed,

through the Syrian vulnerable persons relocation scheme, I have been impressed by the number of local authorities that have come forward, who want to support and who want to participate, and we are thinking carefully as to how we can take best advantage of that.

Q87 Chair: Thank you. You have today appointed David Bolt as a successor to John Vine on a two-year contract. Mr Bolt is the Chief Executive of the International Federation of Spirits Producers. Why is it only on a two-year contract?

James Brokenshire: We obviously had considered the term that was appropriate in relation to Mr Bolt's appointment. Two years was the arrangement that has been struck and that may be subject to further renewal in the ordinary course, but two years is what we have judged to be the appropriate term for Mr Bolt for his appointment.

Q88 Chair: Have you now published all the reports that John Vine left behind? We were very grateful that after you last appeared you published a couple of them. Are they all now clear?

James Brokenshire: I believe that they are now all published and there are no further reports to be published. I think we published 19 reports last year, more than the 13 in the previous year. As I indicated to this Committee at the last session, our desire is to regularise and put in place arrangements for reports to be published within eight weeks, excluding recess, and we look forward to taking that forward with the new inspector.

Q89 Chair: We are very grateful for that. This is probably the last time you are going to be appearing before this Committee in this session, obviously because Parliament will be dissolved on 30 March. So we will not know whether you have reached your 100% target on 31 March, because it is a day later, but I want to thank you for the co-operation and the courtesy that you, Minister, have shown this Committee. Whenever we have asked for any information you have always been extremely helpful. Certainly in my conversations with you, you have been very helpful and very constructive and always been extremely courteous. I want to thank you for that.

Sarah Rapson, to congratulate you on the work that you have done since you have taken over. We were a little sceptical because of the number of former heads of UK Visas and Immigration that we have met, but certainly progress is being made.

For Mandie Campbell, try to find those foreign national prisoners, all 790 of them. I think our successor committee will want to look at all these issues when it is reformed under the next Government. Thank you very much.

James Brokenshire: Mr Vaz, perhaps on our side can I thank the Committee for the challenge that you have brought to us. Yes, it may be uncomfortable from time to time, but the role of this Committee is to challenge Government, to make sure we are doing our work as efficiently and effectively as possible. Thank you for your courtesy and thank you for the manner in which you have approached this.

Chair: Thank you very much.