



Home Affairs Committee

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

Tuesday, 17 March 2015

Ordered by the House of Commons to be published on 17 March 2015.

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Written evidence from witness:

- Rt Hon Theresa May MP, Home Secretary ([WHS0002](#))
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Members present: Keith Vaz (Chair); Ian Austin, Nicola Blackwood, Michael Ellis, Paul Flynn, Dr Julian Huppert, Tim Loughton, Yasmin Qureshi, Mr David Winnick.

Questions 208 - 334

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

Q208 Chair: I call the Committee to order and refer all those present to the Register of Members' Financial Interests, where the interests of members of this Committee are noted. I welcome the Home Secretary to her 16th and final appearance before this Committee in this Parliament. Thank you very much for coming. I have themed this session, Home Secretary, around four themes: counter-terrorism, child sexual exploitation, policing and immigration. I would like to start with counter-terrorism.

You are on the record as telling Parliament and the Committee that the threat to the country is still "severe". According to the Metropolitan police, one terrorist suspect is arrested in Britain every day. We are concerned about the number of young British people who are making their way, in particular through Turkey, into Syria. Last week, we had evidence from the families of three young women from east London—Shamima, Amira and Kadiza—and their concerns about the fact that they went missing. Yesterday, I met two of the young men who had just returned. What are your concerns about these young people? Do you think that this is on the increase, or has it reached a peak?

Mrs May: It is difficult to say that. Obviously, a lot of focus has been given to these two particular cases that have arisen in recent weeks. The whole question of people

travelling to Syria and potentially to Iraq is one that Government and law enforcement have been speaking about for some time now. We have talked about the numbers of people who have been attracted; the fact that, over time, we were seeing not just men and boys but women and girls going; and the fact that we have started to see teenagers going as well as older people. This is not something that has just happened recently; it has been developing over time. As I am sure the Committee will be aware, over 600 people of interest are believed by the authorities to have travelled out to Syria and potentially to Iraq. Obviously, within the overall number of people who have travelled we have seen some young people.

Q209 Chair: We have seen the difference between these two cases. In the first case, once the parents had reported the girls missing, e-mails were sent to the Turkish embassy. The girls went on Tuesday; the e-mail was sent at 7.30 pm on Wednesday night and picked up by the Turks on Thursday. The Turkish ambassador gave evidence to this Committee to say that the Turkish authorities did not have essential information, such as the names or photographs of the girls, whereas in the case concerning the young men who returned on Saturday night, it seemed that within a three-hour period photographs had been sent to the Turkish authorities, and that they had been apprehended on arrival at Istanbul airport. Does that mean co-operation with the Turks has improved, or is the case of the three girls from east London an isolated incident?

Mrs May: We have been working with the Turkish authorities for some time now and co-operating with them in a number of ways in relation to the people who travel through Turkey with the aim of going to Syria. There are differences: I am aware that you had the commissioner and the Assistant Commissioner for Special Operations in front of the Committee recently. They set out very clearly the timetable in relation to the three girls. The overall message of both these cases is that the sooner the authorities are made aware of the possibility that people may be travelling or attempting to travel to get to Syria, the easier it is and the earlier it is possible for the authorities to take action.

This is not an issue that the Government can resolve on their own. It is an issue where we are working with all the authorities but also with parents and communities. We have been giving a very clear message for some time now that people should not be trying to travel to Syria; that they should be aware of what could happen to them in Syria; and also, that if you want to give humanitarian support, there are better ways of doing it.

Q210 Chair: We will come to the messages in a second. The failure in the first case was pretty serious. These three girls are now in Syria and the parents have given evidence to us, saying that if people had acted more quickly—if they had phoned, as they did in the Brent case, for example, rather than leaving things to be e-mailed—we might have been able to stop these girls leaving. The local MP, Rushanara Ali, spoke to you about this, didn't she?

She asked you specifically to get in touch with your opposite number in Turkey, but no approach was made to the Turkish Government, as I understand it.

Mrs May: That is correct.

Q211 Chair: Why is that?

Mrs May: For a very good reason, which I explained when Rushanara Ali first spoke to me. I then went away, looked at the issue again and spoke to her again about it. That reason was that the advice I take as Home Secretary is about what is going to be best able to achieve the outcome that people wish. The advice I clearly received from the police was that they were working well with the Turkish authorities. One of the key points that it is worth making about the case of the three girls is of course that they had travelled to Turkey, as I understand it, before they were reported as missing. Each case will have a different timetable and a different set of circumstances. The overall message, though, is that as soon as anybody has any concerns, they should alert the authorities. Parents may want to take action themselves but they should alert the authorities.

Chair: But there is a difference between an e-mail and a phone call. If you are trying to get the confidence of communities, then you want to show communities, when their children are in difficulties, that the British Government and agencies of the Government work swiftly. You did in the Brent case—not you personally, but the police and the Turkish authorities. However, it still remains the fact that no representations were made to the Turkish Government to try to do more to track down these three girls.

You and I have been to Prime Minister's questions many times over our parliamentary careers. It is littered with constituency MPs who get up and ask the Prime Minister to intervene in cases of citizens who have gone abroad, and he always says that he will—that has happened under successive Governments. I just can't understand why a simple phone call could not have been made, following the request by Rushanara Ali, to your opposite number to try to get as much help as possible.

Mrs May: Because the co-operation was there, Chairman. The point I have made to you is very simple: in operational matters, it is important for me as Home Secretary to take the advice of law enforcement authorities, in this case from the police, as to what was being done and what was going to achieve the best outcome in terms of co-operation with the Turkish police and Turkish authorities. The clear advice I had was that the police were getting good co-operation with the Turkish authorities and, on that basis, I felt that it was appropriate to leave the police to ensure that they were doing their job, which they were doing.

Q212 Chair: Let us go to the messages that you talked about and the fact that we need to send out a message. We all agree with you—this Committee is at one with the Government in trying to tell communities and families they have to be vigilant and they have to stop their young people going abroad. A new advertisement was published by the Metropolitan police yesterday, targeting the mothers and asking them to bond with their daughters more, so that they can work with their daughters if they fear that they are being radicalised.

What I don't understand is why we have not gone to the communities themselves to try to get them to put out this message. If you or I, as politicians, ask people to do things, they don't necessarily do what we want—obviously Home Office officials will do what you want, but the public doesn't really react to people like us. Why are we not going to find voices within the Muslim community and other communities to try to tell their colleagues that this is the wrong thing to do? I just don't think that this message is going to get across.

Mrs May: I have to say that your assumption that nobody in the communities is giving this message is wrong. For example, I can point you to the work done by Families Against Stress and Trauma, and Families Matter. I was there to launch the campaign that they started last year, which is precisely about making very clear to families the problems that can arise, how difficult it is, and sending a message to young people that, if you do this, you can bring distress on your family.

People in the communities are giving this message as well, but I think it is right that the Metropolitan Police do it. The Metropolitan police have, in the past, done similar campaigns to encourage people to come forward, and have seen an increase in the number of families coming forward to the police to report concerns that they have. As I said, this isn't something about which there is one single route that is suddenly going to achieve everything everybody wants. It is necessary that we use all the tools that are available in doing this and in getting this message across.

Q213 Chair: Finally from me, the Commissioner made a statement last week about the girls in east London that he didn't want them to face charges when they returned. Obviously, the three young men who have come back on Saturday night have been arrested but they have not been charged. Is it now a general view that those who go abroad who are young people will not, if they return, face charges?

Mrs May: The decision as to whether to charge any individual is one that is taken by the police with the Crown Prosecution Service. It is not a matter for politicians to determine that. The police will look on a case-by-case basis and make decisions based on the circumstances of particular cases in front of them.

Q214 Michael Ellis: I have two questions on the issue of counter-terrorism and national security, both relating to legislation. The first is that your Department and you steered through recently a new piece of legislation—the Counter-Terrorism and Security Act. One of the provisions of that Act related to temporary passport seizures by the police. I think a

period of 28 days is permitted. I know it has only been a matter of weeks since the Act had Royal Assent. Can you tell the Committee whether there have been any temporary passport seizures under the Act, by the police or other enforcement agencies, since its passage?

Mrs May: Yes. We put that measure into the Act because it was one the police felt would give them another tool to help to disrupt movement to Syria and take appropriate action in individual cases. I understand that, since it was introduced, it has been used. In fact, it has already been used on five occasions.

Q215 Michael Ellis: Five occasions? I think the Assistant Commissioner referred to one occasion, but you are saying there have been five. Can you give any more information about the circumstances around those five?

Mrs May: I do not think it would be appropriate for me to go into the detail. Obviously, by definition, what happens with the temporary passport seizure is that the passport is taken and somebody is prevented from travelling. The police will then investigate with a view on whether there is further action that they wish to take against the individual. Given the ongoing nature of those considerations by the police, I think it would not be appropriate to comment on individual cases.

Q216 Michael Ellis: But are you able to confirm that, if the police have acted in those five cases, it must mean by extension that they have had concerns in five separate cases and, if the person in question were allowed to keep their passport, they might present a terrorist threat?

Mrs May: The police are able to seize the passport where they have concerns about an individual potentially travelling to Syria and potentially getting involved in terrorist-related activity. By definition, if the police have used that, I would expect it would have been against that. There are procedures within the Act for further extensions to be tested in the courts.

Q217 Michael Ellis: That is five in a few weeks.

Mrs May: Yes.

Q218 Michael Ellis: The other thing that I would like to ask you is about a piece of legislation that has been on the statute books for a long time in relation to national security and counter-terrorism, but there is concern that it is being misapplied—the Official Secrets Act. There are suggestions, including very current ones, that, because people fear the application of the Official Secrets Act, they cannot be full and frank in disclosing child abuse, for example. Are you concerned about the misapplication of the Official Secrets Act in that way?

Mrs May: I am concerned about the issue that has been raised as to whether individuals are able to give evidence of child abuse to the child abuse inquiry that we have set up, or indeed to the police, because of the Official Secrets Act. I have been very clear in statements in the House and outside that there is a power whereby lawful authority can be given for an individual who is a Crown servant to be able to give evidence notwithstanding the Official Secrets Act. In the case of the Kincora investigation—the Hart inquiry in Northern Ireland—it has been made absolutely clear by the Attorney-General that prosecutions under the Official Secrets Act will not take place where people are giving evidence of child abuse to the inquiry.

In the case of the inquiry being led by Justice Goddard, it would be for the chairman of the inquiry to discuss that with the Attorney-General, but I have written to Justice Goddard suggesting that she may care to look at the example of Kincora and raise that with the Attorney-General.

Q219 Michael Ellis: This is important. Can I just make this clear? The Official Secrets Act is not designed to suppress information relating to child abuse? It is an important piece of legislation for national security, many would argue. You have cited the Northern Ireland example where the judge said that no one will be prosecuted under that Act. Is it your wish and expectation that no one should be prosecuted under the Official Secrets Act if they give evidence related to child abuse here in the Goddard inquiry?

Mrs May: If people are giving evidence of child abuse to the Goddard inquiry or to the police, I hope they would not be prosecuted under the Official Secrets Act and would not expect them to be. As I said, I have written to Justice Goddard saying that, given the concerns that have been expressed about the issue, she may wish to raise it with the Attorney-General in the giving of evidence.

Q220 Michael Ellis: But would you like her to? Would you like Justice Goddard to do that?

Mrs May: I would not have written to her if I did not hope she would do that, but she is of course independent.

Q221 Chair: Before we leave that point, it is not just evidence, is it? Did you see last night's "Newsnight"?

Mrs May: I did not see the whole of it, no.

Q222 Chair: But you are aware that a number of police officers wish to talk to the media about what has happened with regard to child sexual exploitation but cannot do so because they might be prosecuted. You are talking about evidence given in a public inquiry. Are you

prepared to say today that they can speak out in an open and transparent way outside a public inquiry if they feel that the law has been broken and that they won't be prosecuted?

Mrs May: I would hope that anybody who has any information that relates to acts of child abuse would be willing to take that information to the inquiry and/or the police, so that proper investigations can take place around those allegations and that information that people have. I think that is important. It is obviously for the police to investigate individual allegations against potential perpetrators but it is also for the inquiry to look at the wider issues of the state and non-state institutions' duty of care for children. It is in those two environments that it is important that any information anybody has is given. That is why I am very clear that people should be able to give information into those two environments without prosecution under—

Q223 Chair: Have you called for the report to find out who actually met these police officers and told them that they would be in breach of the Official Secrets Act if they talked about what they have seen following the raids that they have conducted? Do you know who gave that instruction?

Mrs May: I do not know who gave that instruction. I think the appropriate course of action would be for the police to look at whether they should be investigating that. As you know, there are a number of investigations now being managed by the IPCC in relation to certain cases in the past where it is said that child abuse investigations were halted or instructions were given to police officers to stop child abuse investigations. I think it is for the police to look into those issues. The wider question of the state and non-state actions will be taken by the Goddard inquiry.

Q224 Chair: So the immunity you are giving today—if we can say that—by your statement, is just if those people give evidence, possibly to the very people who have told them not to give evidence.

Mrs May: I need to be very clear about this. I have said what I would hope would be the case and would expect to be the case. As I thought I had made clear in response to Mr Ellis, the decision as to what is going to apply in the Goddard inquiry is for a discussion between Justice Lowell Goddard and the Attorney-General. However, the example in Kincora—the Hart inquiry—is very clear: the Attorney-General has made clear that those who are bringing information about child abuse to that inquiry would not be prosecuted.

Q225 Chair: We will come back to this when we look at child exploitation. Can we stay on the subject of counter-terrorism now? Mr Ellis has led us down a path here.

Q226 Nicola Blackwood: Last week we heard from Assistant Commissioner Rowley regarding the case of the three girls. He said it was easy to look back with 20/20 vision, but if the parents, the school and the local community saw no cause for concern in their behaviour, how could the police officers? But when we spoke to the family members, Mr Hussen Abase and the others said that they saw no cause for concern because they had no idea what the indicators of radicalisation were, even if they had seen them in their family members—the young girls. We heard the same story from the family of Thomas Evans, who was also a foreign fighter who had gone off to Somalia to fight with al-Shabaab and is still there.

I am trying to understand what we can do better about communicating to families and to communities and parents who are out there what the indicators are, so that when we do awareness campaigns, such as the one that is just happening now and which I fully support, saying to mothers and parents, “Bond with your children, identify what’s going on,” they know what to look for. It doesn’t seem to be happening so well at the moment.

One of the particular messages that came out from last week was that there is a lot of distrust of Prevent, and a lot of distrust of different organisations and agencies, but the one organisation that they do trust is the school. If information had been forthcoming from the school at that time, it might have helped a great deal and changed the course of some of the events that happened later on.

I wonder what steps might be coming forward to help to address some of those problems and give parents in the future more of a chance of identifying radicalisation and preventing young people going off to fight in foreign conflicts.

Mrs May: First, work is done with schools in relation to this matter. A lot of Prevent programmes go into schools. Obviously, in this particular case, as the assistant commissioner made clear, there was the issue of the letter being sent home with the girls rather than going directly to the parents, so it did not reach them.

If you step back from this, it is of course possible to give advice as to the sort of thing that might indicate that someone is on the path to radicalisation. It may be that people do not show signs of that, but other activity might give a hint that someone is looking to travel, for example. You cannot just put a box around this and say, “These are the only things you have to look out for if you’re concerned about your children.”

One of the issues that I think is very real for a lot of parents is the fact that young people spend quite a lot of time communicating via social media platforms and accessing material on the internet. Very often, I think parents are not aware of what is happening, and some parents are not users of these platforms and the internet. There are some very good projects taking place that work with individuals—with mothers particularly—to try to alert them to what can be happening for the young people, in terms of the technology they are using and how to understand that better.

Q227 Nicola Blackwood: The Counter-Terrorism Act will bring in a general duty for different public sector organisations, including schools, to have regard to preventing radicalisation. Guidance is being written at the moment, and I am wondering what kind of guidance will be included. In this particular case, even though there was a counter-terrorism investigation going on on the school property, the parents were not informed about the seven girls who were involved.

I am wondering if there will be guidance that general awareness campaigns should be triggered where a counter-terrorism investigation is happening in an area or community, even if the specifics of that investigation are not necessarily communicated to family members. I am trying to understand what we can do to improve the system to make sure that the work going on in some schools becomes more evenly spread, and that in areas where a problem has been identified, targeted action can be taken more quickly.

Mrs May: Of course, where an issue or a problem has been identified, very often some action does take place. In this case, the police had been in touch with the particular school concerned. There will be, I think, an opportunity for Parliament to look at the guidance being produced in relation to the Prevent duty, but it is about the sort of thing that a school should be doing. It will not be in the granularity that I think you are suggesting in terms of the triggers and signs of radicalisation.

This is a whole process that we are constantly involved in. It has come to the fore with this particular case, but work has been done and continues to be done at a local level, with messages from authorities to communities, working with schools and others, constantly trying to raise awareness of this as an issue and helping parents to understand the circumstances and the things they should be looking out for in terms of being aware of what their children are involved in or could potentially be involved in.

Q228 Ian Austin: What specific support was provided by the Home Office to Bethnal Green academy? Was any Prevent training provided by the Home Office to staff at the school after the first girl left and before the second three did?

Mrs May: Obviously, the police had been in touch with the school. The school has been engaged with the Prevent programme. As I understand it, there is no evidence that the girls were actually radicalised while at the school. So there was involvement of the Prevent programme with the school. I think that answers the question; there was an involvement with the Prevent programme.

Q229 Ian Austin: Academic research shows that young people are often radicalised by contact through friendship groups. What I am interested in is what your Department did differently after the first girl had left and before the second three did. What action did your Department take?

Mrs May: First of all, your assumption, Mr Austin, is that the Home Office is directly involved in all aspects of this issue, which is not obviously the case because this involves a number of different agencies.

Ian Austin: It is responsible for the Prevent programme, isn't it?

Mrs May: There will be a number of places around the country where there will be concern.

Ian Austin: If the answer is no, just say you didn't do anything.

Mrs May: Your question is suggesting that after the first girl had gone there should have been action other than the action that was taken, which was predominately taken by the police, talking to girls at the school.

Q230 Ian Austin: Your Department is responsible for the Prevent programme.

Mrs May: Yes.

Q231 Ian Austin: What I am asking is, what work was done through the Prevent programme after the first girl left and before the other three did. If the answer to that is, none, just say it's none.

Mrs May: Chairman, if I may, I will write to you about that.

Q232 Ian Austin: I think we can assume it's none.

Mrs May: No. Mr Austin, I will write with the details. The school had involvement with the Prevent programme. You are asking me the timetable of that involvement. I am indicating to the Committee that I am willing to write to the Committee about that with more detail for your information.

Q233 Ian Austin: Okay. I am surprised you haven't got it, but there is a second issue I want to raise on counter-terrorism. Can you tell us what is going on with the Jenkins report into the activities of the Muslim Brotherhood, which is thought to be a funding co-ordinator for Hamas, which is a proscribed terrorist organisation?

Mrs May: A written ministerial statement that was laid yesterday in the House indicates that work is continuing on the Muslim Brotherhood review and reference was made to the work the Government are doing on the extremism strategy.

Q234 Ian Austin: Right. The reason I am interested in this is that despite the promises, promises, despite the absolutely clear commitment in the Conservative party manifesto at the last election and despite the assurance by the Shadow Home Secretary in 2009 that a Conservative Government would immediately ban Hizb ut-Tahrir, the organisation has still not been banned. Why haven't you done anything about Hizb ut-Tahrir over the past five years?

Mrs May: What happens is that, over time, the Home Office will look at a number of organisations in relation to proscription, to see whether tests for proscription are met. We always look to see whether there is new evidence available for that. As you will know, Hizb ut-Tahrir has not been brought forward for proscription.

Q235 Ian Austin: Okay, but this is an organisation that has said Jews should be killed wherever they are found. At the previous Prime Minister's first ever Prime Minister's questions in 2007, the current Prime Minister demanded that the organisation be banned. He made a huge fandango of this. Speaking to the *Jewish Chronicle* in 2009, David Cameron promised to ban Hizb ut-Tahrir straight away and Chris Grayling said it would be banned immediately upon his taking post. You say, "Oh well, we look at organisations all the time," but what I want to know specifically is, why haven't you kept these promises?

Mrs May: Mr Austin, there is a process that has to be gone through in order to proscribe any organisation. There is a legal set—

Q236 Ian Austin: Sure, but come on: the Prime Minister knew that.

Mrs May: If you listen to my answer I think you will find the answer to the point.

Q237 Ian Austin: It's not an answer.

Mrs May: I have to look, as Home Secretary—there is a group that looks at these matters within Government, that makes recommendations to the Home Secretary. That is on the basis of whether or not the legal test is met and then whether or not the discretionary test is met, and on that basis a proposal is put forward where a group is to be proscribed, and that proscription is then debated in the House of Commons.

Q238 Ian Austin: Okay. So what was the Prime Minister doing in 2007 when he demanded that it be banned? What was Chris Grayling doing when he promised that it would be banned? Why was it in the manifesto if none of that work had been done and you didn't know whether it would be possible to ban them? You made these promises. It is either showboating and it's not serious, or there were clear commitments and they've not been kept.

Mrs May: Mr Austin, I might point out to you that there is a difference between being in opposition and being in government. In opposition, obviously, we look at a number of issues and put forward a number of proposals. In government, we have looked against the tests that are available, that have to be met in order to bring a decision forward.

Q239 Ian Austin: All right. I have one final question on this. When I asked the Prime Minister about this at Prime Minister's questions he told me that he still wanted Hizb ut-Tahrir banned. That is what he told me in the House of Commons as Prime Minister. So why has your Department not banned them? *[Laughter.]* That is a perfectly reasonable question. It is not a laughing matter. It is not funny.

Mrs May: Mr Austin, there is a difference between—

Ian Austin: He is the Prime Minister.

Chair: Order. I am sorry, Home Secretary.

Ian Austin: These are not answers. I would like her to answer the question.

Chair: Then you need to be silent while she does.

Ian Austin: She is not answering the question.

Chair: Just hold your horses.

Mrs May: You have said to me that the Prime Minister indicated that he wished Hizb ut-Tahrir to be banned. That is absolutely correct, but the Prime Minister does not just determine, on his wishes, which groups are proscribed in this country. The Home Secretary takes a decision that is based on a set of legal criteria that have to be met. That work is done and when a proposal to proscribe a group exists, then that is brought forward to the House of Commons.

Chair: Could I just ask this to end this—

Q240 Ian Austin: So why did he say that at Prime Minister's questions when I asked him?

Mrs May: Mr Austin, he said he would like it to be banned. That is different from saying that you can ban it against the legal—

Ian Austin: It is not—

Mrs May: I would have thought—I am sorry. It is quite obvious that you believe that Prime Ministers should just tell people to do things regardless of whether they are legal.

Ian Austin: No, I don't. Let me be clear about what I believe—

Chair: Order. This is not a conversation and dialogue. Please put your point in a question, and that is your final question.

Q241 Ian Austin: My question is whether I could make clear that when I ask the Prime Minister a question in the House of Commons, I expect him to answer on behalf of the Government for which he is responsible and not just give his personal opinions on the issues that he is being asked about by MPs. And when he tells an MP something that he wants the Government to do, I would like to ask you why your Department—the Department responsible for it—has not done it. That is the question I would like to ask.

Mrs May: I think, Chairman, I have already answered that: there is a set of legal criteria—

Q242 Chair: I think you have. May I bring this little section to a closure? We have heard what the Prime Minister thinks and we understand they have to pass a legal test; of course we understand that. But is it your personal view, as opposed to the Prime Minister's view and as opposed to the evidence that has been given, that you would like this organisation banned?

Mrs May: I am afraid I am going to be fairly legalistic in answering your question. As the individual who has to consider whether the legal test is met, it would be quite wrong for me to give a personal opinion on proscription. If a group was then proscribed, it could be challenged that I had taken a decision on the basis of my personal view and not of the legal evidence that was in front of me.

Q243 Chair: That is very clear. You do not have personal view on this. You are waiting for advice. But are you keeping this group under review so that if more information comes in, you might ban it?

Mrs May: We keep a number of groups under review.

Q244 Chair: Is this one of them?

Mrs May: You can take it that this is one of them.

Chair: Thank you.

Q245 Dr Huppert: Can I move us on to the recent Intelligence and Security Committee report? You and I have slightly different views on this but that is not actually the purpose of any of my questions, so I hope we won't have to rehearse all that we have set out before.

You will be aware that one of the things the Committee did was to look at whether RIPA was fit for purpose. It said that there was a range of views on the merits of the powers. Again, that is not the point of the question. The report said, “all agreed that the legislative framework was complex, disjointed, vague and lacked transparency.” Do you agree with that? Do you think it is good legislation?

Mrs May: I think that the legislation has served its purpose. I think it continues to serve its purpose, but obviously we have asked David Anderson, the independent reviewer of terrorism legislation, to look at the whole question of the threat, the capabilities, the powers and the legislative framework for those powers. He will be reporting in due course. That would be for a Government to take forward after the election.

Q246 Dr Huppert: The Committee goes on to recommend that the Government introduce a new intelligence services Bill, setting out all of the functions of the agencies and that it “should clearly list each intrusive capability available to the Agencies”. Do you agree with that recommendation?

Mrs May: The report made clear information about a number of capabilities that are available to the agencies under various pieces of legislation. It is right that there are a number of pieces of legislation under which these capabilities are available, not just RIPA. One of the points that the Committee made was that bringing all those together would be a benefit. We wait to see what David Anderson proposes and what his view is.

Q247 Dr Huppert: There is one question about whether there should be one single piece of legislation. You have parked that question. The other question is the Committee’s clear recommendation that every intrusive capability should be listed with the purposes, the human rights obligations, the authorisation process and a whole range of other parameters. Would you accept that recommendation?

Mrs May: What the legislative framework should do is clearly set out the circumstances in which certain powers are available to agencies and others, and how those powers can be exercised. That is what RIPA does with the various powers in relation to interception. We also have legislation that covers communications data but so do other pieces of legislation. That is the question for David Anderson. Against the background of the threat, what are the capabilities and powers that are needed and therefore, following from that, what is the right legislative framework?

Q248 Dr Huppert: There is the David Anderson review, but this is a report to the Prime Minister and the Government. They made a formal recommendation: YY. I presume you have seen those. I will not quiz you on the wording. Are you minded to accept recommendation YY, which is the one that says that all the capabilities should be listed?

Mrs May: The ISC undertook their consultations over a period of time and brought forward a very thoughtful report. That and the report by David Anderson will be two of the elements that will be considered by a future Government in terms of looking at the legislation that is appropriate. It is important to look at all the evidence that comes forward in terms of what is right for future legislation, rather than simply saying immediately, “We will do it in this way,” when alternative views may come forward.

Q249 Dr Huppert: Can I move on to one of their other recommendations? They looked at the Telecommunications Act 1984, which is the first time that any Committee has looked at it. They said that the current arrangements for section 94 of the Act “lack clarity and transparency, and must be reformed.” You will be aware that the commissioners have highlighted the fact that none of them look at it at the moment. They say there should be statutory oversight arrangements. Would you agree, given that it has been recommended by the commissioners as well as the ISC, that somebody should look at that power?

Mrs May: The interception of communications commissioner has made it clear in his latest report that he is now going to provide non-statutory oversight of directions made under the Telecommunications Act, at the Prime Minister’s request. So an oversight in that sense will be available.

Q250 Dr Huppert: Non-statutory.

Mrs May: It is at the moment non-statutory.

Q251 Dr Huppert: Would you support the idea that it should be statutory?

Mrs May: We need to look across the board at the capabilities that should be available and what the appropriate legislative background for those is. We have the ISC report. We are waiting for David Anderson’s report. There are other pieces of work being undertaken, as you will be aware, and I am sure this is an issue that Parliament will want to consider carefully and properly. After the election, the Government will bring forward proposals that it thinks are appropriate.

Q252 Dr Huppert: So you will not make any decisions or have any preferences until you have seen all those reports?

Mrs May: I am not going to suddenly make policy for the next Government on the basis of this meeting.

Chair: Good. One final question.

Q253 Dr Huppert: You will be aware that there is a statement written by Sir David Omand, who was director of GCHQ and a public servant at the Home Office. Do you agree with it as a matter of principle? He wrote: “Democratic legitimacy demands that, where new methods of intelligence gathering and use are to be introduced, they should be on a firm legal basis and rest on parliamentary and public understanding of what is involved”. Do you agree with his statement of principle?

Mrs May: I believe that the powers that we have and that the agencies use are indeed on a firm legislative basis.

Q254 Dr Huppert: So you agree with his principle?

Mrs May: They are on a firm legislative basis today. One of the questions being looked at in a number of areas concerns the powers that are needed for the future and the legislative basis on which those powers should rest.

Q255 Chair: I think he wants to know whether you agree with the principle, rather than whether you agree it is on a firm legislative footing.

Mrs May: Do I agree with the principle that it should be on a firm legislative basis?

Q256 Chair: You do?

Mrs May: Yes.

Q257 Chair: Excellent. Let us move on to child exploitation. We examined Judge Goddard. We were very impressed with her and we congratulate you on your appointment. The mea culpas of the previous two chairs are now history, and she is due to start in April. A number of points were not clarified when she gave evidence. Have you now agreed a salary with her?

Mrs May: These points have been agreed. She has been appointed.

Q258 Chair: So what is her salary?

Mrs May: I am not in a position to tell you that at this meeting, Chairman.

Q259 Chair: Because you do not know?

Mrs May: I do not think it is appropriate for me to tell you at this point.

Q260 Chair: Why is it not appropriate to tell us the salary of someone we have examined and recommended, who said that she was going to tell us her salary? Why can you not tell us how much she is being paid? Why should it be a secret when we are talking about a public inquiry that is going to be open and transparent?

Mrs May: Information about the basis on which the chairman is operating and about other issues will in due course be published so that people can see the evidence.

Q261 Chair: Home Secretary, that is not information as to how she is operating. She is a public official, examined by this Committee quickly, because you asked us to do that. She said that she did not know what her salary was, and you are telling us that you are not going to tell the Select Committee how much Judge Goddard is being paid.

Mrs May: That information will be made available in due course, Chairman.

Q262 Chair: When? Parliament is going to be dissolved on 30 March, and I assume that we and you cannot meet. We will not be holding office after that. When is it going to be published?

Mrs May: I am not able to give you a date as to when it is going to be published, but it will be published alongside other information such as the letter that Justice Goddard sent in relation to conflicts of interest, and other matters relating to this.

Q263 Chair: I have to tell you that I feel very let down by you, Home Secretary, because you spoke to me on the telephone and you asked for us to examine this particular candidate very quickly, and in an open and transparent way we examined the candidate. There were issues that were outstanding, and I would have thought that by now—months after we examined the candidate—you would have this in place. So you can't tell us whether or not you will be providing accommodation for this judge?

Mrs May: First of all, perhaps I may make the point that I don't think that it is months and months after she was examined that I am coming before you.

Q264 Chair: It is a couple of months.

Mrs May: Secondly, yes, I did, and I am grateful to the Committee. I think it was an important part of the process that this Committee was able to have Justice Lowell Goddard in front of it and to issue a report, and I am grateful to you for having done that and done it speedily. Obviously, Justice Lowell Goddard is moving from New Zealand to come to the United Kingdom—

Q265 Chair: So will we be paying for her accommodation?

Mrs May: There will be issues around salary and her accommodation which, as I understand it, have been finalised, but those will be made clear in due course—

Q266 Chair: Have they been finalised or are they to be finalised? Which is it?

Mrs May: My understanding is that most of that has indeed been finalised. The information will be made available in due course. I have to say to you, Chairman, that I fully recognise that you're asking about the salary of Justice Lowell Goddard. I think the most important issue is the qualifications that she has to do this inquiry, and the inquiry that she is going to undertake.

Q267 Chair: No, we have dealt with all that. I'm sorry, Home Secretary, it is an unrequited gratitude, as far as we are concerned. We had assumed that you would give us all this information.

Mrs May: Heaven forbid that I would unrequite you in anything.

Q268 Chair: Well, you have in this case. I think that we have slightly been duped on this, because we were promised all co-operation from the Home Department, which simply hasn't happened. We are not asking this because we happen to want to know this detail because it is private. It is a public inquiry, and therefore people are entitled to know. Is she going to be absolutely full time?

Mrs May: Yes. My understanding is that she will be, yes.

Q269 Chair: Your understanding? Or is she going to be full time?

Mrs May: Yes, she will be doing this inquiry as the chairman of the inquiry.

Chair: Excellent. Very helpful.

Q270 Tim Loughton: Perhaps we could move on to the meat of the inquiry. Home Secretary, last week you made the same statement that it is now starting on a statutory basis as from last Thursday, and you appointed four panel members, three of whom were already associated with the panel. There has been some criticism that it wasn't a very transparent process, which is part of the criticism about the original panels as well. How many people applied for the job? How many of the former panel members applied for the job and were not successful? Who did the sifting and made the final decisions?

Mrs May: The final decisions would be made—I don't think I have the absolute number of the people who applied, but obviously we did look at a number of people who were on the existing panel, and there were others who came forward. There were people who had actually originally been nominated for the chairmanship of the panel who were also considered for potential membership of the panel. The size of the panel and the membership of the panel were determined in discussion with Justice Lowell Goddard, as was entirely appropriate.

Q271 Tim Loughton: But do you see that there are grounds for criticism? This is even more important, given the false starts we've had on this inquiry. I take no issue with those people who you have appointed; that is not the point. The point is the process by which the people who are part of the panel were appointed, and the process by which the unsuccessful candidates were eliminated. This whole process went very quiet, and then—lo and behold!—there was a written statement last week, so there was no opportunity to challenge you on the Floor of the House. Four names were appointed and the statutory inquiry gets off to its start. End of story. You will appreciate that certain people still have questions to ask about why those people are in that place. Are we going to find out more details about how exactly 100, 200, 300 or however many people became four?

Mrs May: Yes. First, we published the criteria by which the panel was appointed on gov.uk, so there is transparency in terms of the criteria which were used. The assessment against the criteria for each panel member, together with their declarations about conflicts of interest, will be published by the inquiry in due course. This is now a matter for the inquiry to publish, as it will be a matter for the inquiry to publish its costs.

Q272 Tim Loughton: Do you not think that it would have been helpful to have published that all at the same time as the appointments were made, so that there cannot be any dragging on criticism of exactly the process by which you, presumably, were the final arbiter that those four people should be appointed?

Mrs May: As I said a little earlier, this was a process that involved Justice Lowell Goddard. Technically, yes, the appointments are made by me, but in conjunction with Justice Lowell Goddard to ensure that she was comfortable with the names that had been put forward and with the number of people who were being appointed to the panel.

Q273 Tim Loughton: We understand that but, ultimately, who has the authority to do that is down to you.

Mrs May: The important thing from my point of view is that all the evidence I have seen is that the panel, she and the inquiry have the confidence of survivors to go

forward and do the job that they are expected to. We were very clear that we would publish the criteria against which people would be assessed and we have done that.

Q274 Tim Loughton: I just make the point that it could have been more transparent for those people who, for all sorts of reasons—good or bad—are still very sceptical about the process. Can I just widen it out a bit? Clearly recent revelations about historical and contemporary child sexual abuse have made this inquiry's work even more important and relevant. There was a particularly worrying study by the Children's Commissioner a few weeks ago, which revealed that 48% of local safeguarding children's boards, which include police as a major element, had not identified children who were vulnerable to child sexual exploitation within their areas. That clearly is worrying because we know that you know that child sexual exploitation is happening in every part of the country. Are you worried and, if you are, what are you doing about ensuring that police are actively, as they should be under the CSE action plan and various other measures that you and others have taken, trying to identify these girls and boys, and doing something about it? Some 48%—nearly half—is seriously worrying.

Mrs May: You are right that there is a concern about how some local children's safeguarding boards are operating in relation to this particular matter. This is a matter of course in terms of identifying vulnerable children. It is not just a matter for the police to be doing that. There are others who will be involved in the identification of those who are vulnerable. The outcome of the Secretaries of State group that I chaired in relation particularly to the Rotherham incidents of child sexual exploitation, but which was widened out, was looking at just sort of these issues. Indeed, the Prime Minister chaired a summit at No. 10 two or three weeks ago, which brought together social workers, councillors from local authorities, academics, police and Members of Parliament—Ministers and others—to discuss these issues.

We are taking a number of steps, some of which are in relation to the whole question of the training of individuals—police and elsewhere—in relation to vulnerability and an understanding of vulnerability. One of the key issues for the police and others is the whole question of focusing on an allegation that is brought forward, rather than on the victim, which has been one of the problems in the past—people have been dismissed and allegations not properly investigated. A raft of activity is taking place around this.

Q275 Tim Loughton: With respect, Home Secretary, everything that you just said was in the Government's child sexual exploitation action plan, published in November 2011. The fact is that, even after all that time and after all the very high profile cases historically and more contemporaneously, many LSCBs—where police are a key element—are not identifying these victims.

I add to that, finally, before I get cut off, that this week there was the self-referral by the Met to the IPCC about those 14 allegations that were not followed through. Clearly criminal investigation could result from that if fault is found. How will that feed into the work of the historical inquiry, as indeed with the other reviews still to produce their findings on the NHS, the BBC and so on?

Mrs May: Obviously you were, as Children’s Minister, responsible when the action plan on child sexual exploitation was put together, and it was a good plan, and you are absolutely right to say, “Why is it that, three, four years on, we still have a situation where people are not identifying vulnerable children, where local safeguarding children boards are not doing the job that they were expected to on the basis of that action plan?” It is a very valid question.

I come back to the issue that I believe—I have said this consistently—has underpinned the issues that we see here. You are absolutely right: child sexual exploitation, sadly, is taking place in too many places round this country. I think what we have seen so far is the tip of the iceberg. I think society will be shocked when they see the extent to which this is an issue around the United Kingdom. But underlying the question of how the police and councils and others involved approach this issue is this whole question of attitude, and the culture of denial that has taken place. The work that we do on training and so forth is an important part of trying to deal with that, but sadly it does take time to change that culture of denial.

Q276 Mr Winnick: On salary, Home Secretary, like the Chair I find it very difficult to understand why you are refusing to give the salary information. I thought when the Committee agreed to the chair after the controversies over the two previous people, when it was decided not to proceed with their appointment, everything would be in the open—there would be no secrecy—so why not simply state what Justice Goddard is going to receive?

Mrs May: I can assure you that the salary will be in line with the salaries of chairmen of other similar inquiries, and it is up to the inquiry to publish its costs.

Q277 Mr Winnick: Can we at least agree, or would you agree, that such information will be known to this Parliament before it ends?

Chair: It dissolves on the 30th.

Mrs May: It is for the inquiry, which is now up and running, to publish its costs. The inquiry, as I indicated, will also put the assessments against the criteria of the individual members of the panel. The independent inquiry has now been set up. It is now independent.

Q278 Mr Winnick: I am just wondering whether a controversy over the salary, or the lack of information over the salary, of the chair is going to do anything for the credibility of the inquiry, but that is a matter that you must decide.

Mrs May: I think the credibility of the inquiry will be determined by the manner in which the inquiry is undertaken and the ability of individuals to give information to that inquiry and see that information is properly investigated.

Q279 Mr Winnick: I certainly hope so, but having a controversy over the salary seems to me unfortunate; but be that as it may, you are not going to budge today. The question that immediately arises, which has been referred to earlier, Home Secretary, is that there are allegations, the most serious allegations that could be made, that very senior people in authority, politicians or otherwise, but certainly very senior people, put such pressure on the police that the inquiry that was going to occur into child abuse at the time—it certainly goes back some years—did not take place. Do I take it that that will be looked into urgently—that it won't be left until the inquiry chaired by Justice Goddard starts its work?

Mrs May: Obviously, the Metropolitan police have referred to the IPCC. The IPCC has taken the decision that those investigations will be managed investigations. That work will be undertaken. I did not actually answer Mr Loughton's second point, which was about the interaction of that with the inquiry. This will be a matter that Justice Goddard and the inquiry panel will have to consider very carefully, obviously, because they would not want, I am sure, anything that the inquiry does to potentially jeopardise or prejudice investigations that could lead to criminal prosecutions. So that will be a matter for the inquiry to deal with, obviously with the IPCC and the investigations taking place. My expectation is that those investigations should take place in a timely manner.

I think what has been revealed so far, just by the very nature of the investigations, is shocking. I think people will be very concerned at what has been suggested, and will want to see justice being done in relation to this. It is, of course, important that in doing those investigations, the work is done thoroughly, so that there can be no suggestion—there needs to be no suggestion—that there is any further cover-up of the work of the investigation of what seems to have been a cover-up.

Q280 Mr Winnick: I welcome those very encouraging words, Home Secretary. Presumably you agree that this cannot just be left hanging over a period of time, over months. These are, as I said in my question, the most serious allegations that people with such authority and seniority allegedly did what is claimed.

Mrs May: They are very serious allegations and they do need to be looked at in a timely manner. I would hesitate to put a period of time on it, Mr Winnick, because, as I say, it is important that the investigation is done thoroughly and properly so that, if there are criminal prosecutions to be brought, those will stand up, justice will

be done and there can be no suggestion or hint that the work is not being done properly, in order to somehow sideline it—as has happened in the past.

Q281 Nicola Blackwood: I do think that you are right, Home Secretary, that we are starting to rebuild trust with survivors, on the CSA inquiry in particular, after they have just been abandoned for so long by all the child protection agencies that are supposed to protect them. But I think that it is a very tentative trust that has been rebuilt and it would be very easy for it to be damaged. I do not think that we should underestimate the impact that police officers coming forward and saying that they feel that they are being silenced by the Official Secrets Act would have. It is not just in that arena that there is a problem; the Oxford serious case review was clear that victims were routinely dismissed as being naughty and a nuisance and that, even when there were front-line agency workers who tried to raise the alarm, they just could not get the attention of senior managers. They were either told that they were exaggerating or, somehow, the information just mysteriously disappeared.

What I am trying to understand is how we create an environment where whistleblowers from within agencies absolutely know that, first, their jobs are going to be protected and, secondly, that their voice is going to be heard and they are going to be listened to. One of the things that was announced at the CSE summit was this new whistleblowing national portal; it says in the report that it “will help to bring child sexual exploitation to light and will be able to spot patterns of failure across the country”. I am trying to understand what that will look like and what it will mean; whether there will be specific protections in place for people who call, how it will refer into the CSA inquiry and police investigations and so on, and what it will actually mean—whether we can give some confidence to whistleblowers today that, if they want to come forward, there will be mechanisms in place to help them?

Mrs May: This goes alongside work that is being done more generally in relation to whistleblowers. I have announced some changes in relation to whistleblowers in the police, for example, to give them more support to enable them to come forward and, in some cases, to make it easier for them to report to the IPCC and for the IPCC to ensure their anonymity, if that is what is appropriate. Similarly, the Secretary of State for Health has been working on the question of whistleblowing in the health service. So it goes alongside some wider work that is being done in relation to whistleblowers.

In terms of the portal and how that will move forward, obviously on the information that is brought forward, decisions will need to be taken as to whether it is information that fits more clearly to the inquiry or information that fits more clearly in terms of potential for police investigations, and will therefore be referred to the police. Alongside this, we have taken some other steps. Child sexual exploitation is now within the strategic policing requirement, so it is very clear that this is an issue to which suitable priority needs to be given by the police. The National Crime Agency has used the power that it was given in the Act that set it up to task forces in relation to this issue, and the national policing lead, Chief Constable Simon Bailey, is putting in place work to ensure that proper information is shared between forces, so that

nobody is able to slip through the net because there is information coming into one force and other information into another.

A lot of work is being done to make sure that the structure is there, so that the information will be properly dealt with. But your fundamental point is right; the problem has been—we saw it in Rotherham, we saw it in Oxford and we have seen it elsewhere—that what has happened all too often is that people coming forward, often girls but boys as well, have been dismissed on the basis that that's the sort of thing that happens to them. The suggestion of social workers talking about some of this as a lifestyle choice is, frankly, appalling.

Q282 Nicola Blackwood: But it is also that, even on the rare occasions where there is an agency worker who does spot the pattern—and there were occasions in Oxford and in other places—when they try to do something about it, they are almost bullied and silenced so they cannot get any action. Opportunities are missed and then for years the abuse continues when it does not have to. There needs to be a mechanism where, if the system is not working, at least there can be a way to bypass the system and fix it.

I am trying to understand, with the whistleblowers, whether there will be guarantees of no reports back to the individual's workplace and anonymity for the individual. Will they be protected if they phone the whistleblowers' reporting line to make a statement and try to get action? That would mean that the action is triggered but that individual is not put at risk in the workplace.

Mrs May: The intention is that it will be possible for somebody to report through that portal and not have that lead to action taken against them in the workplace. As I say, there are different structures and approaches being taken in different areas of the public sector. I am obviously particularly responsible in relation to the police. The whole intention of the portal is to enable people to give that information and for it to be acted on in a way that is not to the detriment of that individual.

Q283 Nicola Blackwood: When will it be up and running?

Mrs May: I do not have a date for you, but I am happy to send it before Parliament dissolves, Chairman.

Q284 Chair: Thank you. That would be very nice. Let me conclude this section with a question on Operation Yewtree. It has so far cost £3.5 million. Two weeks ago we examined Paul Gambaccini as a witness, who was kept on bail for almost 12 months. He described that as 12 months of trauma, "being used as flypaper" in his words, so that other allegations would come forward. The Committee will publish its report on police bail on Friday, with our conclusions on your consultation paper. Rather like you not telling us Justice Goddard's salary, we will not tell you what is in that until Friday, when we publish it.

Mr Gambaccini spent some £200,000 on legal fees.¹ What is your view about people who are kept constantly on bail and then told at the end that there is no further action?

Mrs May: The reason I have brought forward a consultation paper on police bail is because I think the situation is not acceptable. There should be limitations on the period of time people are kept on bail. Of course, there are sometimes complex investigations that do require a significant period of time for the police to get the evidence that they need to bring a prosecution. But I think it is perfectly reasonable to say to the police that if they are going to extend bail beyond a particular period of time—that is what the consultation was about—they should have to take that to a court to get approval.

Q285 Chair: Do you also think that, at the end of that process, the person who has been kept on bail for 12 months ought to be given an explanation, especially when there are no charges or further action?

Mrs May: The intention of the changes I hope to bring forward in due course, following the consultation, is that people should not just be kept on bail for 12 months.

Q286 Chair: So there would not need to be an apology.

Mrs May: They should not be kept on bail for 12 months without proper processes to ensure that something is being done, so that nobody feels that they are just put on bail, sidelined and left there, and then—as you say—nothing happens in the end.

Q287 Chair: Would you support the position that people should be anonymous until they are charged, so those under investigation who have not been arrested, and those who have been arrested and not charged, should retain anonymity? That is something the Commissioner gave evidence to the Committee about.

Mrs May: There has been some debate about what is appropriate. There are of course circumstances in which the police feel that if somebody has been arrested, making that known can actually help to build the case against an individual.

Q288 Chair: But generally speaking—there are exceptions, but generally speaking.

Mrs May: Generally speaking, but I think there are exceptions.

¹ The £200,000 figure is a total for loss of income and legal fees. Mr Gambaccini has estimated his legal fees to be about £60,000.

Q289 Chair: So generally speaking you support anonymity, but there are exceptions where a case has to be built. Is that right?

Mrs May: Yes.

Q290 Chair: Let's move on to our third area: immigration and asylum. We will not go on about your missing your target on immigration, because we have said it so many times and you have had to tell us that you have missed your target, so we will save you having to say it again—if Mr Austin can contain himself. I want to ask you about another target we fear you will miss, or will end up in chaos: exit checks.

The Committee has received evidence from the UK Chamber of Shipping and others who say that they don't think that exit checks will be in place in an efficient way by 8 April. The Prime Minister said to me that he thought it was 30 March, but I accept that that was a slip; he really did mean 8 April, because it was moved to that date. In the letter—I do not know whether you have seen it, but I have a copy of it here for you—Tim Reardon talks about serious delays on the A20. There is going to be a doubling of time for the checking of passports and passengers, from 45 seconds to 87 seconds, which does not sound like a lot, but if you are dealing with a huge volume of traffic going to the continent, they suggest that the tailbacks could reach the A20 in Folkestone by just about the time of the election, after 8 April. Are you absolutely satisfied that this is going according to plan and that what is being said by the people who are supposed to implement this will not happen—in other words, that it will not be chaotic?

Mrs May: I am very clear that we will be meeting our commitment on exit checks. It will be 8 April—we moved the date to make sure that it was not being introduced across the Easter weekend. We have been talking in particular to the ports and rail organisations involved in this since 2013—the first meeting I held with them was in late October 2013—and we have had considerable discussions with them over that whole period about how this shall be done. We have been working with them to ensure that every effort is made to ensure the least disruption possible. Of course there is a new process being put in place in relation to this, but it is being put in place for a very good reason, which is to give us a much better understanding of who has left the country and who has a right to still be in the country.

Q291 Chair: Of course. We are all with you on this, we will hold up posters saying, "Well done," but the problem is that the very people you have asked to implement this have said that, on 8 April, there will be tailbacks all the way up to the A20 in Folkestone. They have suggested that we now have a number of exemptions to the exit checks—for example, the under-16s. Are you considering closed coach parties as one of the exemptions, thus enabling traffic to flow more freely? That is what they have suggested. At the end of the day, of course, it is your decision—after the Brodie Clark issue, Ministers have strict control over this, we know. Are you looking at further exemptions before 8 April?

Mrs May: We have been discussing with the various organisations involved what is appropriate for each individual port—we have not just put one model on ports; we have been working with the ports separately on this matter. There are trials taking place in relation to putting coaches through, and I am waiting to see the results of those trials. It is always the case that we have, as we do at airports in relation to people going through borders, contingency arrangements that Ministers can decide to put in place if there are particular problems—public order problems and so forth. But I am very clear that there is a very good reason for us introducing the exit checks. This Committee has challenged me in the past as to whether we will be able to introduce exit checks by April 2015, and now that we are going to, the Committee is challenging me as to the basis on which they are being introduced.

Q292 Chair: Well then you misunderstand my questions. I'm sorry, I have obviously not been clear. We understand the basis, but we are telling you—we will give you the letters—that two of the people you are dealing with say that this is not going to be smooth, that there will be traffic all the way up to the A20 and that you are looking at further exemptions. This is not coming from me; this is coming from the people who have been doing all these pilots. They are saying, "Please look at closed coach parties as one of the exemptions." Are you telling the Committee that you might authorise more exemptions before the exit checks—to which we all say, "Hooray!" and all love—come into effect?

Mrs May: What I am saying is that we are continuing to discuss aspects of this implementation with the operators. There are trials taking place. We will look at the evidence of those trials. Obviously, I cannot say what is going to happen until I have looked at the evidence of those trials.

Chair: Excellent.

Q293 Paul Flynn: Do you think it is desirable, in the cause of assimilation, to have asylum seekers distributed evenly throughout the country?

Mrs May: In relation to asylum seekers, we work with a number of local authorities that make arrangements in their particular areas for receiving asylum seekers, and that is not an even distribution across the country. I think it is appropriate that we work with a number of local authorities that are willing to come forward and work with us on this matter.

Q294 Paul Flynn: Why do you think it is that in the constituency that I represent, the local authority has 439 asylum seekers, and your constituency local authority has two?

Mrs May: I have to say, Chairman, that this is reminiscent of a question Mr Flynn has asked me previously on this matter. I have indicated that we work with a number of local authorities. These are not distribution decisions that have suddenly been taken

by this Government. It has always been the case that asylum seekers have been distributed across the country; accommodation has been found for them across the country, in various parts of the country. It has never been the case that that distribution has been even across every local authority, under the last Government and this one.

Q295 Paul Flynn: Have you noticed, Home Secretary, that the prejudice against asylum seekers is at its highest in areas, such as Clacton, which has a UKIP MP, where there are no asylum seekers? Would it not be beneficial for all concerned if there were an attempt to spread them evenly? Cardiff has more asylum seekers—900—than the whole of south-east England outside London. Don't you think it should be your objective to spread asylum seekers, for all kinds of reasons, more evenly than the grotesquely uneven pattern at the moment?

Mrs May: What I think is important in relation to the attitudes you are talking about that people may have in relation to asylum seekers is that people understand that the Government have proper processes in place to ensure that people are able to claim asylum here in the UK, that their claims are considered properly, that those whose claims are refused—

Q296 Paul Flynn: I am going to interrupt because I don't see any connection whatsoever between the question I asked and the answer you have given. Can I try again?

Mrs May: May I try to explain why I answered the question in the way that I did? You asked me: did I think the attitude of people in a particular place that you named in the United Kingdom to asylum seekers would be changed by distributing asylum seekers there as well as distributing them elsewhere in the United Kingdom? My answer is that I think that the attitude of people to asylum seekers is best dealt with by people understanding that the Government are looking at asylum seekers in the right way—that is, having a proper process to enable people to claim and making sure those claims are dealt with properly and appropriate action is then taken.

Q297 Paul Flynn: There are benefits and burdens to asylum seekers. The benefits are a more interesting, more mixed community. The burdens take place with extra strains on schools and hospitals, with language problems and so on. Do you not think it would be beneficial if it was pointed out to those who argue against immigration and those who claim that Britain is full that certain parts of the country have a very large number of asylum seekers, but areas such as your constituency, the Prime Minister's constituency; the Chancellor of the Exchequer's constituency have a grand total of three? The position is that Britain is not full of asylum seekers but there are huge areas where there are virtually none. If we are going to help people throughout the—

Chair: Mr Flynn, I think you have made that point. Do you have any further answer on that, Home Secretary?

Mrs May: I think I have made my answers clear.

Chair: And you wouldn't like more?

Mrs May: Mr Flynn's last question referred to both immigration and asylum. I am very clear that we need to bring a control into the immigration system and that is what the Government have been working on. Obviously, as you said, we have not met our target on that.

Q298 Chair: And in respect of EU nationals, when we previously examined you, you said you were looking at proposals to limit the number of EU nationals coming in. This has not been done and this cannot be done.

Mrs May: I said that we were looking at issues around free movement within the European Union, which we have been. The Prime Minister made a speech last November in which he indicated what a Conservative Government in the future would look to be doing in relation to access to benefits—for example, people having to be here for four years before they were able to access certain benefits. Obviously, we have tightened up on some benefits in the habitual residency test and in the length of time for which people can be here without a job before they will be required to leave the country. So some action has been taken; further action has been identified and set out by the Prime Minister.

Q299 Chair: So it's benefits and transitional arrangements for new countries coming into the EU rather than limiting those who want to come here and work?

Mrs May: The set of proposals that the Prime Minister set out were largely around the benefits but also the transitional arrangements, but this is a matter for discussion within the European Union. Free movement—

Paul Flynn: You have no plans to spread them evenly—

Chair: Mr Flynn, let the Home Secretary finish.

Mrs May: The issue of free movement within the European Union is an issue that, if I can put the political hat on, would of course be an issue that a Conservative Government would be discussing as part of our reform and renegotiation discussions. Mr Flynn asks me if I am intending to try to distribute EU nationals evenly across the country. They come here of their own accord to go to places where perhaps there is a job that they wish to go to or where they are perhaps joining family. It is not a matter for the Government as to where they go.

Chair: Indeed, I think that they would be pretty alarmed if we started to distribute them around the country.

Q300 Paul Flynn: These are section 95 asylum seekers who are on support. That is a complete distortion to abdicate that way. These are ones who are distributed.

Mrs May: I am sorry, Mr Flynn. Your intervention came after the Chairman's question about EU nationals, therefore I assumed that you were referring to EU nationals.

Chair: The record will reflect what you said Mr Flynn and it is not about EU nationals being redistributed. Dr Huppert, a quick question.

Q301 Dr Huppert: Home Secretary, you quite rightly said that we should be making decisions about asylum seekers quickly and fairly and so on—I cannot remember the exact wording, but I think we would agree that it should be done promptly. There are currently, I think, just over 10,000 asylum seekers who have waited more than six months for their initial claim to be processed—these are not people who are appealing or challenging; they are still just waiting for an initial answer. I suspect that you would agree that that is too many. What is being done to try to reduce that number, so people at least get their first response much faster than six months?

Mrs May: A considerable amount of work has been done to look at some of those lengthier claims that have been in place and to try to work through those as quickly as possible, so that the intention, from April this year, is that people should be processed within six months. A lot of work has gone on already. Obviously, more work needs to be done in relation to this. As you say, Dr Huppert, the principle of giving somebody a decision as quickly as possible is the right one. Obviously, sometimes it takes time to be able to assess somebody's claim, get the evidence, and get the information that is necessary to look at that claim properly.

Q302 Dr Huppert: I welcome what you just said about trying to reduce it. We have figures from the final quarter of last year, which are over 10,000. You think it is achievable that there should be essentially no cases—I don't mean that it has to be exactly zero—where it takes more than six months by April this year? If that is right, that would be a very impressive performance.

Mrs May: I am just looking. I believe that the Director General of UK Visas and Immigration actually gave a commitment in relation to this when she appeared before the Select Committee. Currently, I think that the expectation is that it will be possible to meet that commitment.

Q303 Ian Austin: I want to return to the question that Mr Flynn asked because despite your claims that you answered it, you patently didn't. The point he was making—this is an issue in the Black Country too—is that the community he represents and the community that I represent bear a disproportionate share of the burden that results from the distribution of asylum seekers around the country. The question he asked you was whether or not you think that is fair. That is not what you answered. I would like to ask you again: do you think it is fair that certain communities have so many asylum seekers and other parts of the country have none?

Mrs May: What I think is that the practical arrangements that have to be put in place—

Q304 Ian Austin: Is it fair—yes or no? It's a simple question.

Mrs May: What you are suggesting is that the Government suddenly say that we are going to distribute all these people in some sort of even way across the country, regardless of the cost that that then entails in terms of the accommodation that is needed for individuals, and that that even distribution should be the only thing that drives the way that the Government deal with this. It isn't. The Government have to look at the practical arrangements for ensuring that accommodation is available for these asylum seekers, and that is exactly what the Government do. This Government do it, and the previous Government did it.

Q305 Ian Austin: Do you think it is fair—yes or no?

Mrs May: I think it is reasonable.

Q306 Ian Austin: Is it fair?

Mrs May: I think it is reasonable.

Chair: You have your answer.

Ian Austin: I'm afraid, Chair, it's a complete waste of time.

Q307 Chair: Mr Austin, thank you for that comment.

I have a final question on Harmondsworth. I visited Harmondsworth and met some of those inside. Many had been there for a number of months and there are concerns about a number of allegations concerning their treatment. Are you satisfied that providers, both in Harmondsworth and in Yarl's Wood, are meeting the Government's target in respect of the treatment of those who are in those two establishments?

Mrs May: Obviously I am aware that particular allegations have been made, as a result of broadcasts that Channel 4 broadcast, in relation to Harmondsworth and Yarl's Wood. Action has been taken, particularly by Serco in relation, as I understand it, to one individual who was identified on the programmes. I think that both organisations, Serco and Mitie, have looked at their arrangements at the detention centres to ensure that they are operating properly and providing what the Government expect them to provide.

Q308 Chair: Let us move on to our final area, which is policing and crime. I start by saying that the Committee, Mr Flynn and I in particular, looked at a synopsis of the 3,000 files that have been gathered about corruption in the Metropolitan police. We didn't, obviously, look at all 3,000 files because we didn't have the time to do so, but are you alarmed by the latest suggestions in *The Guardian* that, in fact, these files have not yet been opened and the investigation has not commenced?

Mrs May: My understanding about these files is that some of them actually relate to cases which have been investigated and where action has been taken. So it is not possible to look in a blanket fashion across those files and say that if they haven't been dealt with then, by definition, investigations have not occurred. Obviously, it is important that these are looked at properly and considered in relation to the issues around corruption and integrity. We have been very clear, as a Government, about integrity in policing. We have been very clear about the need to investigate where potential corruption has occurred in the past. It is this Government that have set up the Daniel Morgan inquiry, for example. We have been clear about this. It is taking time, but I don't think it's possible to make a blanket assumption that all those files relate to cases which have not been investigated or where action has not been taken.

Q309 Michael Ellis: Going back, if I may, Home Secretary, to the theme of the intelligence and security services, you are in charge of MI5. What do you assess is the overall impact, some time having now passed, of Snowden's leaks on the intelligence services, in the wake, particularly, of last week's report by the Intelligence and Security Committee?

Mrs May: I assess—and not just I; the director-general of MI5 has made comments on this in the past as well—that the Snowden leaks did cause damage. It has had an impact on the ability of our agencies to do the work that they need to do.

Q310 Michael Ellis: Would you say they have had a severe impact?

Mrs May: I think it has had an impact. Obviously, the agencies need to, and do, try to mitigate the impact but it would be fair to say that this has had an impact, not just on agencies here in the UK.

Q311 Michael Ellis: There will be financial consequences as well, presumably, in terms of having to change processes and procedures and the like?

Mrs May: Obviously, if work has to be done in order to mitigate the impact, that takes resource.

Q312 Michael Ellis: On a completely different subject, on the issue of policing, some insecurity is expressed by members of the Jewish community about their personal safety and security. Do you think that more can be done? I know you went with Eric Pickles, I think, some months ago to the Board of Deputies, and that had a powerful impact, apparently, but do you think that more can be done to reassure the Jewish community about their security?

Mrs May: This is an important issue. Obviously, it has been raised particularly since the attacks that took place in Paris, at the Jewish supermarket, but also since the attack in Denmark, but it was there as a concern anyway, because of the rise of anti-Semitic incidents, particularly over the past year. Government have obviously been talking to the Jewish community. We talk to the Community Security Trust about these issues. The police work closely with the trust. Following the Paris attacks, extra patrols were put in place in various areas and we have been talking to the Jewish community particularly about security around schools and what more can be done. The DFE is looking at what can be done in relation to that.

Q313 Mr Winnick: I have one or two points. Following all that Mr Ellis said earlier, if the situation is that virtually every synagogue and Jewish school now has to have such security—there can hardly be any school or synagogue that doesn't take security measures—that is a very unfortunate situation, to say the least, is it not, Home Secretary?

Mrs May: It is. I am on record—I said publicly when I went to the Board of Deputies of British Jews that I never thought I would see the day when there would be Jews living here in the UK who were concerned about their safety and security here in the UK. We have seen that level of concern in other countries in Europe as well and in some cases, that level of concern has led to people leaving Europe. This is a situation that none of us wishes to see and we need to do everything that we can to reassure the Jewish community in the UK that they are safe and secure.

Q314 Mr Winnick: Would it not be the case that despite what I have said—and everyone who has studied the position recently understands the danger to schools and synagogues—Britain remains one of the safest places for Jews to live?

Mrs May: I believe it does, yes.

Q315 Mr Winnick: Can I come to Snowden? If it is all negative and Snowden is such a terrible villain, how do you explain the fact that the chair of the appropriate security committee in the Senate produced a report that showed the amount of abuses carried out by security services in that country? Snowden must have done something.

Chair: We don't need a whole essay on Snowden—just a few comments.

Mrs May: All I can say is there is an assumption being made there about a link between the work of the Senate committee and the leaks from Mr Snowden. I am not sure that link can be made. It is, of course, up to a Senate committee to determine what it does in terms of looking at the operations of the agencies in the United States, just as it is for the Intelligence and Security Committee here in the United Kingdom to determine the work it does and the reports it publishes in relation to the work of the agencies in the UK.

Q316 Mr Winnick: Are you aware, for example, that the person who leaked a good deal of secret information during the Vietnam war and is now considered more or less a hero—even by leading senior figures in the United States—considers that Snowden has done, on the whole, a worthwhile job? That is clearly a different view from that put forward by some people.

Mrs May: I wasn't aware that that individual had taken that view. I have to say that I disagree with them.

Q317 Mr Winnick: Can I come to water cannons? As I understand the position—well, I don't understand the position fully—what I read in the papers is that you have decided against water cannons being used in the United Kingdom, certainly in London. Is that the situation?

Mrs May: No decision has been taken on water cannons. I have not yet seen the final evidence that has come forward. There is a clear process that has to be gone through on this matter. We have an organisation that looks at the medical and scientific aspects of this and I have yet to see its final report.

Q318 Mr Winnick: Three water cannons have been bought by the Mayor of London. That is not the subject of speculation. That is fact. So, if you do decide finally that the answer is no, those water cannons will be a matter for the Mayor or his successor to dispose of?

Mrs May: A decision was taken by the Mayor to do that. In due course, a decision will be taken by the Government on the authorisation of water cannon. As I have said, that decision has not yet been taken.

Q319 Mr Winnick: Can I say, Home Secretary, by way of a question, that I would be the last person to want to undermine your position within the internal mechanisms of the Tory party in future elections and all the rest of it, but if you come to the conclusion that water cannon should not be used, that would be a most welcome decision.

Chair: Of course, Mr Winnick doesn't have a vote in the next Conservative leadership as yet.

But is this not a strange set of circumstances? The commissioner and the Mayor bought these vehicles. They have spent £250,000 on them. They have just been sitting there, and you have not licensed them. This has been going on for a considerable length of time. The perception is that you are against the idea of using them. Is that right?

Mrs May: Chair, first, on the timetable, the police only came forward with their firm proposal for the business case in relation to water cannon in March 2014. The processes were then put in place to undertake the necessary tests, and for SACMILL to do the work that it needed to do. That has required various tests and retests to be undertaken. As I say, I have not yet seen the final report.

Q320 Chair: But in terms of the tests, surely you just stand in front of the water cannon and start firing it. How can you have to retest something that we all know has been used all over Europe, and how can it take 12 months to do this?

Mrs May: That is a matter for those who have been undertaking this work.

Michael Ellis: Mr Vaz is volunteering to take part.

Chair: After you, Mr Ellis.

Q321 Dr Huppert: Just to be clear, on the water cannon, you are saying that you have not had the SACMILL report. Water cannon are licensed for use in Northern Ireland. Is there not an equivalent report in Northern Ireland available?

Mrs May: Obviously, at the time when they were licensed for use in Northern Ireland, a report would have been done, but it is necessary to look at the sort of machines that might be used in the rest of the UK, and therefore to do the necessary tests on them. It is very simple. It happens for any new piece of equipment that the police wish to have authorised for use. There is a procedure that is undertaken. It was done for Tasers, for example, and it is being done for water cannon.

Q322 Dr Huppert: So the delay is purely waiting for the SACMILL report; it is not to do with the election. Is that what you are saying?

Mrs May: I have not seen the final SACMILL report. Will it be possible to take a decision before the election? Given where we are and the timetable at the moment, I think it is highly unlikely that the decision can be taken before the election.

Q323 Dr Huppert: Just to follow up very briefly on the issue of Snowden, you are presumably aware that the Investigatory Powers Tribunal came up with a ruling that said that prior to 5 December 2014, the regime for collecting information—to do with Prism and so on—was in contravention of the law. That is in paragraph 23 of their ruling and their declaration. That has now been rectified. Do you at least welcome the fact that one of the outcomes of the Snowden revelations has been that Britain has been able to change its regime such that it is now legal?

Mrs May: What is clear is that the decision has been taken by the IPT and that action has been taken off the back of the IPT. I think what is important is that we here in the UK have that facility, through the tribunal, for people to be able to take cases to that tribunal, for them to consider and come up with recommendations.

Q324 Dr Huppert: But you accept that they ruled that the regime had been in contravention of the law until 5 December 2015. That is what they say in paragraph 23.

Mrs May: The IPT has published its views on these matters, and it is not for me to challenge a view that the IPT has published. If you are quoting what the IPT has said, that is what the IPT has said.

Q325 Dr Huppert: So you accept their ruling?

Mrs May: The IPT has made its ruling.

Q326 Dr Huppert: And you accept it?

Mrs May: Well, the IPT has made its ruling and, as you indicated in your question, Dr Huppert, some action has been taken in response to that. You asked me a question on this matter in the House of Commons, and I indicated an answer in the Chamber of the House of Commons.

Q327 Dr Huppert: But I am now intrigued that you are not saying that you accept their ruling. A simple yes, that you do accept it, would make that clear.

Mrs May: The point of having the tribunal is that the tribunal brings out a report. They have set out very clearly what their view is in relation to this matter. I have always taken the view that I believe that we operate in a very clear legal framework.

We have one of the best legal frameworks for operating in these matters in the world. The IPT has come out with a conclusion. You have said that a response has been given to that, and I think that that answers your question.

Chair: We will leave it there. We have one final question from Mr Austin.

Q328 Ian Austin: Can I ask, Home Secretary, if you have seen the letter that more than 15 MPs from across the political spectrum in the West Midlands have sent to you about police funding—not the overall size of the budget, but how it is distributed across the country? That letter shows that we have got the lowest precept of any force in the country. That means that the cuts are higher, because a flat-rate cut to central grant hurts us much more than places with higher precepts. So, for example—

Chair: Sorry, Mr Austin, what is your question? We need a question from you.

Q329 Ian Austin: The question is about the fact that the way funding is distributed to police forces across the country is unfair. The West Midlands faces disproportionately large cuts as a result of the mechanism you use and the unfair decision to use formula damping, which stops us receiving the amount of funding that the national formula says we should receive. I would like to ask if you have seen the letter and whether you would be prepared to meet MPs not just from the Labour party but from the West Midlands to discuss how you could allocate funds more fairly.

Mrs May: First, I have not seen the letter that has come in, but I am aware of the various proportions of funding available to the different forces. Obviously, the extent to which forces increase their funds through precept varies from force to force. This is an issue. As regards a meeting, I only hesitate in that there is only a week or so left of Parliament sitting in which it would be possible to have such a meeting. But I will certainly look very carefully at that. It is an issue that has been raised with me by West Midlands MPs. I think that the question of distribution of police funding is something that will need to be looked at in future.

Chair: Thank you. I will let Mr Winnick ask a question because he is a West Midlands MP.

Q330 Mr Winnick: I am just wondering, Home Secretary, if you accept the concerns about the funding of the West Midlands police. My colleague was absolutely right in raising it today. It is spread across the political parties; it is not confined to the Labour party. In those circumstances, would you be willing to look at the situation and reflect on why the West Midlands has been penalised in the way it has?

Mrs May: The Government have already determined the allocation that will take place in relation to the budget for 2015-16. But as I have just indicated to Mr Austin,

I think that the question of how police funding is distributed is something that Government will have to look at.

Q331 Paul Flynn: As a person with a lifelong trust in the integrity of the police, I found reading the Operation Tiberius report deeply shocking, because it reveals endemic, widespread corruption among the Metropolitan police. We know about the case of Daniel Morgan, who was murdered 28 years ago, probably by the police, when he was investigating corruption.

Chair: What is your question?

Q332 Paul Flynn: Let me finish. We have this terrible case this morning, where we understand that Sir Cyril Smith was liberated by the police to destroy lives in the same way that Sir Jimmy Savile did. Do you think that it is time we looked into these 20 years, perhaps longer, in which the Metropolitan police appear to be little more than a nest of thieves?

Mrs May: The cases you set out are appalling. It is a problem. I am very clear: the vast majority of police officers operate with honesty and integrity and do a good job for us day in, day out. When there are cases of corruption, it sadly affects all those honest officers who are operating with integrity. But I set up the Daniel Morgan inquiry precisely to get at the truth of what happened there.

Q333 Chair: Indeed. We are running over. Home Secretary, this is your last appearance before this Committee. You have been Home Secretary for 1,770 days, although it may not seem like that. Of course, you know that you are the longest-serving Home Secretary for five years. When you got the job in the first place, did you have a master plan for changing the landscape of policing? As you leave this post—of course, you could still be appointed to the same post again after the election—the landscape of policing has been completely transformed. No other Home Secretary has made the changes that you have made, with the initiation of the National Crime Agency, the College of Policing and all these other bodies. Did you have that in mind when you started or is it something that you decided as you went along on your long journey in the Home Office?

Mrs May: When I was appointed to the role, we had given a very clear commitment as a party in opposition in relation to the introduction of directly elected police and crime commissioners. It then became clear to me, looking at the issues around policing, that more reform was needed, such as the National Crime Agency and the College of Policing, and I put that into place.

Q334 Chair: Apart from police and crime commissioners, the Opposition seem to have accepted these changes. We have not heard from other parties what they would do with the change of landscape. Do you think that it should now be allowed to settle, whoever is in

government after 7 May? These are quite profound changes. We do not want the policing landscape to be, for example, like the NHS.

Mrs May: I sincerely hope that Governments of the future will maintain the structure, particularly the new organisations—the College of Policing and the National Crime Agency. They were put in place because they were important changes. They are doing good work, and I hope they would be given time to develop so that they can show their full mettle.

Chair: I thank you for appearing before us 16 times and writing to us whenever we have written to you. I wish you the best of luck in the election and whatever the future holds for you. I pay tribute to the two retiring members of the Committee, Lorraine Fullbrook and James Clappison, who are not here today, for the work that they have done. I also pay tribute to all the other members of this Committee, who have helped to produce 72 reports in the past five years. We hoped that you would take up more of our recommendations, but they are there anyway for future Governments. Thank you very much.

Mrs May: Thank you, Chair.