



HOUSE OF LORDS

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The EU Sub-Committee on Home Affairs

Inquiry on

THE EU ACTION PLAN AGAINST MIGRANT SMUGGLING

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10.30 am

Witness: Tom Dowdall

Members present

Baroness Prashar (Chairman)
Lord Condon
Lord Cormack
Lord Faulkner of Worcester
Baroness Janke
Lord Jay of Ewelme
Lord Morris of Handsworth
Baroness Pinnock
Lord Ribeiro
Lord Soley
Lord Wasserman

Examination of Witness

Tom Dowdall, Deputy Director, Border Policing Command, National Crime Agency

Q40 The Chairman: Good morning. Thank you for your time this morning appearing before us. As you know, this session is a public session and it will be broadcast on a webcast. We will send you the transcript in a few days' time and you can correct it. If there is any additional information you wish to send us, please feel free to do so. Could you please begin by introducing yourself and telling us a little about your job, and if there are any introductory comments that you wish to make?

Tom Dowdall: Thank you very much, Chairman, and thank you to the Committee for inviting me to come along to give evidence today. I would like to help you in every way that I can. I am Tom Dowdall; I am the Deputy Director of the Border Policing Command within the National Crime Agency. That means that I have responsibility essentially for the border-facing operational resources that we have within the agency, so those are the investigators who take forward the investigations and seizures that have been made by Border Force. Where they have seized drugs or other commodities, they are referred to the National Crime Agency for us to proceed and to take further action on.

Also, as part of the Border Policing Command, we have a responsibility for co-ordinating the activities of all of the principal border actors involved in law enforcement and control at the border. That is about 20 or so different organisations that have that level of interest. The principal actors of course are the NCA, the police, Border Force, Immigration Enforcement and HM Revenue and Customs, but there are a number of other organisations that have an interest as well.

The Border Policing Command is one of the operational commands within the National Crime Agency so we have, in addition to that, Child Exploitation and Online Protection (CEOP); we have an Economic Crime Command, a Cyber Crime Unit and a central intelligence hub. The Border Policing Command fits in as part of that operational network and, of course, we will support other parts of the agency when the requirement is there to do so, in line with the priorities that have been set strategically by the Home Secretary and operationally by our Director General.

Q41 The Chairman: Thank you for that. As you know, we are looking into smuggling. The European Commission intends to transform migrant smuggling networks into high-risk and low-return operations. In your opinion, are the four objectives of the EU Action Plan against migrant smuggling the right ones to achieve the goal?

Tom Dowdall: There is certainly synergy in terms of what the objectives of the EU plan are, in comparison to what we are doing within the UK to address the issue of migrant smuggling. The Prime Minister has spoken about breaking the business model, which is very much in line with what the EU is seeking to do as well, and so the synergies for us are the extent to which we are able to build on partner co-operation, both in the UK and overseas. We have quite an extensive international network, which is part of the National Crime Agency, but also networks that are run by the Home Office as well, which work together on this issue.

We also have created our task force, which again is a combination of the NCA, Border Force, Immigration Enforcement and the CPS. That is really to build a more complete and more dynamic intelligence picture of the problem. It is also to look at the extent to which we can use a range of criminal justice as well as non-criminal justice solutions to address the problem, so looking at things such as vessels of interest as well as subjects of interest, and looking at the extent to which we can focus greater attention on the economic dimensions and the criminal flows of money. We can see quite a synergy between the plan that we have set out here in the UK and the fit with the European plan.

What I would add as well, which is quite central to all of this, is the relationship that we have with Europol and our ability to be able to exchange and share intelligence with Europol, and the ability for what we are trying to do here in the UK, which is not separate from what has been set out within the EU plan, but actually the intention is that we are seeking to build upon those existing structures, so things such as Joint Operation Team (JOT) Mare, which Europol has embarked on. Our task force is very much part of being linked to that, contributing directly to it in terms of personnel, but also in terms of intelligence sharing.

The Chairman: I hear that there is a synergy between what you are trying to do and what the European agencies are doing, but do you think the objectives are the right ones to achieve the goal?

Tom Dowdall: Yes, I think so. They are ambitious objectives. The issue is complex and will not be solved very quickly, but certainly the reason why we have the synergies is that, actually, we think those objectives are right.

Lord Wasserman: I have one question. I was going to ask you about the problem. You keep referring, Mr Dowdall, to “the problem”. You are dealing with the problem, but what is the problem that you are dealing with, in simple words of one syllable? What is the problem?

Tom Dowdall: The problem we are dealing with is really around understanding and disrupting the crime groups that are involved in the smuggling trade or involved in smuggling migrants.

Lord Wasserman: Migrants are a subset of this more general problem?

Tom Dowdall: No, the focus is on migrants. Having said that, organised crime groups will often look at these issues as commodities. They will look at people, they will look at drugs, they will look at firearms as commodities. Quite often, these crime groups will be involved in a range of activities—not just migration, but also drugs and firearms. What we are looking at here is absolutely around immigration, but it is also understanding some of the operations and the way that the crime groups may seek to operate.

Lord Wasserman: More narrowly, if you look at the EU Action Plan against migrant smuggling, what is the NCA role in this? How are you working with all these agencies? You mentioned 20 different agencies, and then there are the European agencies. What is your role as the NCA Command?

Tom Dowdall: In terms of the EU plan, it is very much around how the NCA, with our UK partners—and I will talk about those relationships in a moment—make sure that we have a coherent UK response that also fits alongside the European plan. For example, what we think is important is that the efforts that we are making fit directly into the work that Europol is undertaking. Our ability to directly share intelligence with Europol in both directions and our ability to help them grow some of the capabilities that they are seeking to put into the Mediterranean now to increase that flow of intelligence coming out of the Mediterranean are important. We have put resources directly into Europol. We have seconded national experts from the UK who are part of that.

In addition to that, we are also using our international network—so the NCA international liaison officer network. We are expanding that now, as part of the UK task force, into source and transit countries, so into East Africa, West Africa and North Africa, as well as the transit points coming through Europe, to work with host authorities. Sometimes that relationship is best done in a bilateral way. Sometimes we need to get host nation authority to allow us to be able to operate, but that again allows us to put the information, experience and intelligence we get from our international network into the Europol domain. That is how we are seeking to lead that relationship.

In terms of who the UK players are around this, in terms of the task force, the NCA has been charged to create and to lead the task force, but that includes resources from Border Force, Immigration Enforcement and from the Crown Prosecution Service, and equally there is a relationship with police here in the UK as well. Actually, this is about how we bring to bear our collective knowledge, resources and capability. The NCA has a niche capability in terms of some of our specialist resources and intelligence-gathering opportunities. Border Force, for their part, clearly have responsibility as the guardians of the border, but also an ability to collect intelligence. They are deploying debriefing officers as well as the cutters that they have deployed into the Mediterranean, so there is an ability for them to provide intelligence into our intelligence hub, which then we share with Europol. Similarly in terms of Immigration Enforcement and their investigative capability here in the UK, as well as their international network, it is important that they are part of that group.

What we have seen is the task force from the UK end needs to be multi-agency. It needs to use the skills and the capability that exist in those organisations, bringing that together, for us then to be able to share directly with Europe, and with Europol principally.

Q42 Lord Cormack: Mr Dowdall, since the National Crime Agency was established a couple of years or so ago, what changes have you and your colleagues noticed to the scale and the nature of the package of migrants?

Tom Dowdall: There have been some changes. One of the quite important features of what we are now doing and what Europe is seeking to do is to build a more complete intelligence picture, so understanding better the flows coming from source countries and how they are flowing into the Mediterranean and beyond. Some of this is not just about changes, but it actually is about filling in some of the gaps that have existed previously. In terms of serious and organised crime, our knowledge—and this is not just the UK, but this is much wider—around things such as drug smuggling is far more mature than some of the knowledge around

organised immigration crime. What we are aiming for is an ability to fill that gap. Some of that is catching up over a number of years.

Specifically, therefore, in terms of some of the changes that we are seeing, certainly there are some changes around the nationalities. Clearly Syria has featured far more than previously. We are seeing the extent to which migrants are relying upon organised crime groups, who are seeing the opportunity being created by that mass migration and the ability for them to generate money and profit to be able to operate. We have also seen, over the last year, just the volume of numbers coming through both the central Mediterranean, as well as the eastern Mediterranean. Closer to home, in recent years we have seen a growth in some of the migrant numbers that we now see in the Nord-Pas-de-Calais.

Lord Cormack: We have heard these words “organised crime” a number of times during our evidence sessions. I appreciate you cannot give an absolute answer here, but how much UK national involvement is there in this?

Tom Dowdall: There is some UK involvement, or there is some nexus that involves the UK, but, actually, it is a much broader issue. The nature of the organised criminality, when I go back to my drugs analogy again, in terms of organised crime gangs involved in drugs, is that you will have individuals who make a long-term investment in the movement of that commodity. They will look to control it almost from A to Z.

The nature of the organised criminality in terms of illegal migration is far more compartmentalised. Of course, there is a degree of organisation, but quite often, the decisions around how the organised crime groups operate are taken by the migrants themselves, who will embark on their journey. Sometimes, they will embark on their journey quite legally; sometimes it may well be a bus ride across a border. It may well be some time, some hundred miles, before they first come into contact with a facilitator or someone who will arrange travel movements or safe houses, or things like movement through a desert, which happens when individuals on the west side get into Mali and Niger, and then on the east side into the Sudan. Sometimes the organised criminality starts to operate from them onwards. The individuals may then work their way into the Mediterranean and then into Europe.

The nature of that criminality is cellular so, while there are connections between criminals on the supply chain, quite often these groups may well be relatively self-contained.

Lord Cormack: There was a lot of evidence a few years ago, when I was conducting an inquiry into organised crime in the UK and Northern Ireland in particular, of the activities of former paramilitaries. Do you believe that there is much involvement of those who used to be deploying their nefarious talents in terrorism within the UK? Do you think there is any evidence of their involvement in this?

Tom Dowdall: There is a wide group of individuals who will take the opportunity to be involved in this criminality. I would not say there is strong evidence to show how people may have moved into terrorism. The possibility exists, given the growth of this crime area and given the opportunities that may well present themselves to individuals.

Q43 Lord Soley: I would like to get a better grasp of the business model bit. You referred to a “business model”. With the sudden dramatic increase of people moving to Europe, clearly, if you are doing it as a business model, demand goes up, so you increase your supply. Presumably that is your main focus, but also, all around the edges of that, there will be ordinary people who have boats who are being offered money, or indeed a group of people who club together and buy an inflatable in order to get from Turkey to Lesbos, for example. I am not quite sure how you distinguish all of this. Within them of course, there are migrants, but there are also refugees. I am not quite sure how you tease this out. Are you focusing

mainly on the large organised smuggling groups, who will increase their activities because demand has increased, or are you also focusing on this incredible explosion of people coming by every means they can manage, some of which might be organised, some of which might be extremely disorganised?

Tom Dowdall: You have described the complexity very well there. What we cannot do is just focus on one aspect of it and completely ignore another. Whilst we clearly have an interest in those who may well be at the higher end of sophistication and our ability to disrupt them, to penetrate and to collect intelligence on them, clearly our law enforcement means of operating and dealing with those groups is quite different to how we would deal with others. Some of this is around making sure that, first of all, the basic building blocks of intelligence-gathering are there and in place. What I mean by that is straightforward intelligence-gathering, such as debriefing and debriefing close to where the action is taking place, so debriefing within the Mediterranean and as far upstream as we possibly can. That will help us to understand the nature of how much of this is opportunistic and how much of this is a more gold-standard service that might be offered in certain instances.

As well, the disruptions that we can put in place will differ from group to group. Understanding the nature is important, as is understanding how we can disrupt, so what we can do against organised crime groups. Similarly, in terms of those who are more opportunistic, one issue that we are focusing our attention on is both vessels as well as subjects of interest. We want to be able to monitor vessels. We want to be able to take action, and we are taking action, with our partners in the Mediterranean, to prevent some of these ships and boats from actually being used.

We are also looking at the extent to which we can start to build other disruptive elements around what it is that either the opportunistic criminal or the more organised criminal may well have access to, in terms of assets like boats of all sorts of descriptions. How can we start preventing and denying access to some of those? We have activity that is taking place around that. We are also looking at the social media aspects, the extent to which we can, again, disrupt crime groups—I say crime groups, and I mean everything from those who are at the very lower end up to the higher end—and the extent to which we can understand how they are using social media and how we can use that for both intelligence-gathering purposes, but also how we use it in terms of disruption elements as well. It is criminal justice as well as non-criminal justice sanctions that we are seeking to deploy.

Lord Soley: With the organised crime individual or gang doing it, if they bring a boat-load across of migrants from safe countries who are looking for work, but their next boat brings a group of refugees from the war zone in Syria, how do you make a judgment on that?

Tom Dowdall: That judgment will obviously be made by the host country, however that vessel is being encountered.

Lord Soley: You do not distinguish between the refugee and migrant. You are not expected to. This is not a criticism; I am asking to understand better. A smuggler might actually switch from one to the other quite readily.

Tom Dowdall: They might do. We would look for the criminality and we would look to identify how these individuals are exploiting whomever it is that they are coming into contact with.

Q44 Lord Jay of Ewelme: I just want to come in briefly, following on the question from Lord Cormack. It is related to Calais. There has been quite a lot in the press recently about

criminal gangs, facilitators in the jungle in Calais, with cars with British number plates. Is this true? Are these people opportunists, who suddenly see an opportunity to be exploited, or are these, as it were, a collection of criminal gangs operating elsewhere that see that this is the place to get money over the next few months? Do you have any sense of who they are?

Tom Dowdall: Some of the specific issues that you raise are issues that are under investigation, so I can speak in broader terms. With Calais, as with anywhere else, the nature of the criminality will vary. It will vary from those who are organised and may well seek to find ways into the UK using more sophisticated means. There is a range of things that they could do. They will charge a price for that. That comes at a particular premium.

Much of what you see within Calais is individuals who may well not have access to those kinds of funds. Actually, getting to the UK is quite difficult and quite expensive. In many cases, with these individuals who get to Calais, as you can see from the large numbers of people or groups who have been trying to penetrate fences, railway lines, et cetera, that this is disorganised activity. This is around trying to storm fences and that kind of thing. What you see in Calais, at least at the stage from Calais on to the UK, is lower-level activity, and lower-level criminality and support. Anything more sophisticated, by its nature, will be less evident.

Baroness Janke: You referred earlier to having a coherent response that fits alongside the European plan. I just wondered how you feel the European actions on this are helping broader international co-operation on this issue. What is your assessment of that?

Tom Dowdall: Is this specifically around the intelligence?

Baroness Janke: It is along the whole issue of migrant smuggling.

Tom Dowdall: The important features that I would emphasise are that all the principal actors, and by that I mean the states in Europe that are part of that migration trail, are readily sharing intelligence with Europol and that, in turn, Europol is therefore able to produce a more comprehensive and complete picture to understand not only how the flows are working but who the criminal groups are involved around that. That is important in terms of getting that cohesion among member states. There are some important elements of that that we need to make sure are resolved—the ability of Frontex, for example, to share debriefing material and personal data that they collect with Europol, which in turn can share that with law enforcement across the member states so that we can take action on that. I know there is work in hand to put that in place.

That ability to share that is important, as is using the bilateral arrangements that we have, where we can. We have strong bilateral arrangements and relationships with countries outside of Europe, where we have had the ability to deploy our international assets and other countries are doing similarly. Again, bringing that intelligence and information back into Europol, for me, is key for us to be able to successfully undermine the organised crime groups.

Baroness Janke: Do you feel there are more things that could be done to improve that position? Are the differences of view coming out from some of the European members having practical implications for your operation? Do you feel there are recommendations that one could make or suggestions as to how this could be improved?

Tom Dowdall: I will speak to this as a law enforcement professional. As I say, the important element is this ability for states that are all on that route to be able to collect as clear and coherent a picture as possible and to share that. Sometimes that may well be a mixed picture. Some states are better than others at being able to do that. That sharing of information and

intelligence is key. What I mean by that is that this is simple, relatively low-level intelligence. This is not of a highly sophisticated nature. The starting point has to be our ability to effectively debrief those who have encountered either the migrants themselves or the criminals that are arrested, so that we are able to understand if there is a UK dimension, for example, or a French dimension, which we would work through with our colleagues in France. Those are the areas. That ability to share is hugely important.

Baroness Janke: You have told us that there is quite a lot more to be done in that area.

Tom Dowdall: I think good progress has been made, and more can be done as we go forward.

Baroness Pinnock: Can I expand on that?

The Chairman: You can, yes.

Baroness Pinnock: I wonder if you could make a judgment as to whether, given the increasing scale of the challenge, there are sufficient resources being allocated to both Europol and to the NCA to meet the escalating scale of the task that you have been given.

Tom Dowdall: In terms of Europol, it is probably a question to give to Rob Wainwright, in terms of what he thinks he has at his disposal to be able to undertake that. From a UK perspective, we can see the benefit now from the investment into the UK task force, the 90-strong task force for which we had funding committed from the end of July. We are in the process of assembling and putting in place that team now. It is operational now and more of that team are coming on board, even over the next few weeks.

Within the NCA, we have the ability to flex to meet the priorities that essentially are determined across law enforcement. We do not have static resources in the NCA. If we see organised immigration crime, and specifically people-smuggling, as being an area of risk, we can flex that resource to be able to focus attention on all of that.

It is difficult to anticipate as we go forward. This is not an issue that is going to be resolved in months. What we have to build and plan for now is an enduring law enforcement response that is able, over time, to make sure that we a) understand the picture better, and b) are developing, as we go forward, through that knowledge, more creative criminal justice disruptions, economic disruptions in terms of flows of money and denial of resources. That will be quite important for us as we go forward. For us, it is about the durability of what it is that we are putting in place now.

Q45 Lord Faulkner of Worcester: You are talking quite rightly about illegal activity by people organising smuggling and trafficking. Do you recognise any activity, by organisations or individuals, to assist people to move from one country to another to be legitimate and legal?

Tom Dowdall: We are focusing on the organised criminality end of this. If we are to understand what that means, it is about the exploitation of individuals. Separately there may well be people who are legitimately travelling from place to place, from country to country.

Lord Faulkner of Worcester: And being helped?

Tom Dowdall: Where people are legitimately travelling and using the transport networks at their disposal, that is one element of it. From a law enforcement perspective, our focus of attention has to be on those who are seeking to exploit individuals. These are groups that are charging significant amounts of money to these individuals and to their families, indebting them for some period of time. We can make a very clear distinction. A lot of the organised immigration criminality involves transportation and the movement of people, be it in taxis, be it in lorries or whatever that happens to be. There are a number of issues with that. First of

all, there are significant threat-to-life issues, depending upon the mode of transport that people have taken on, and actually there is a charge that is levied by these individuals that is completely disproportionate to any kind of service that would be provided. For us, that is very clear. I do not think that that in any way could be described as legitimate assistance.

The Chairman: May I probe something a little further on the question of co-operation and co-ordination? In your written evidence, you say that this might extend to operational matters and joint investigations. Can you say a little more about that, please?

Tom Dowdall: The 90-strong operational team that we are putting in place is a combination of overseas assets, who will work with host authorities, as I described earlier on. It is also around building more resource and capability into our intelligence network here in the UK, but part of it as well is creating an investigative capability. The investigative capability has several functions. Clearly, where there is a UK nexus to the criminality, this will be the resource that will undertake the investigations into that criminality. They may well be working with partners, so it may well be something that is done in conjunction with the police, with Immigration Enforcement or any other UK authority.

They will also assist in terms of some of the other disruptive activity that we think we can put in place. If we are identifying vessels of interest, we can identify where those vessels are, what flag those vessels bear, and we can work with hosts and others to start to seek to deny access to those vessels, take action to test their seaworthiness, for example, and seek to be able to prevent their use.

We would also use that investigative capability, where we are able, to support other member states in terms of their investigations. The central nerve of an organised crime group may well be in another state. We would undertake work here in the UK, as evidenced by recent press reports of individuals, who we had identified in work that we had done with Belgian and French colleagues, who had been returned to Belgium under a European Arrest Warrant. They had been involved in, we assess, moving anything like up to 200 migrants into the UK, so it can work with overseas assets as well.

The last point I would make is that the relationship we have with France in particular, but also with Belgium and the Netherlands, is quite important and fundamental to us as well. As part of our task force, we have an officer embedded with our French colleagues, OCRIEST, who are their equivalent in France for organised immigration crime investigations. That has allowed us to be able to share intelligence between the UK and France, for us to be able to undertake activity on individuals the French have identified who are here in the UK, and vice versa. Similarly, we are taking forward, with Border Force colleagues and Immigration Enforcement in particular, work with Dutch and Belgian colleagues.

What is quite important in what we do here is that the task force is looking at the whole end to end. We are trying to see what happens at source and at transit into the Mediterranean, but similarly we are also looking to see the impact and the connections with Calais and the near continent.

What we do not want to do is to compartmentalise the issues, so that we do not come up with an answer that addresses the Calais problem, only to find that the organised crime groups can operate flexibly and start moving further down the coast or further up into Belgium and the Netherlands. From my experience, something like 3,000-plus HGVs going through Calais every day and services that are operating at 30 to 40-minute intervals is attractive for the larger numbers, but we have seen evidence and we have intercepted groups who have tried to penetrate from the Hook of Holland up the east coast and some evidence of where individuals have come through on the south coast as well, in much smaller numbers than those we see in

Calais but, actually, they tend to be the more organised end of it as well, because it takes quite a bit of organisation to come through some of those areas and you will pay more money in order to do that. That investigative capability is really pulling together with our colleagues that activity.

Q46 Lord Jay of Ewelme: You have already talked quite a bit about intelligence sharing and the importance of intelligence sharing. You have talked about the need for a complete dynamic picture of migrant smuggling, the need for an intelligence hub and the importance of co-operation, in particular with Europol. We have also had evidence from Mr Düvell, an Oxford academic, who talked about intelligence or information exchange. “What we have is a mess. I have an A4 list of agencies, institutions, programmes and intelligence-gathering mechanisms, at EU level and UN level”, and so on. My question is: from your point of view, do you feel you are looking through a kind of fog, or with clarity at what is going on? What are the key intelligence relationships, as far as you are concerned, and how effective are they?

Tom Dowdall: I have some sympathy with the contention that there are lots of people out there who have badged in some way a kind of intelligence interest. What has been quite important in creating the task force, for example, is that we have gone to great pains to say that we want to build on what already exists. We want to build on the work that Europol is doing, principally through JOT Mare and Focal Point Checkpoint. We do not want to create a new intelligence hopper that we start to put intelligence in, which avoids in some way what we are trying to put into Europol.

There are some really important blocks here, which I think we have made real progress in putting in place. Part of that is getting a focal point in the Mediterranean, so the creation of the capability that we are working with Europol and the Italians to put in place in Sicily, and I know that Europol has plans for other hot spots as well. Having intelligence-gathering close to the action is really important. Having a single point of contact here in the UK, which has that relationship with Europol, is similarly of importance. What we have done within the National Crime Agency intelligence hub is to now have NCA, Border Force and Immigration Enforcement intelligence officers working together. They still wear the cap badge of their organisations and bring the experience and knowledge of their organisations in there, but it is really important that we are able to make sure that, when we get that intelligence, we interpret it in the right way and come up with the right set of disruptions, be they protective security work, which Border Force may take forward, or more investigative work.

We are then using the bilateral relationships that we are putting in place in the source countries, bringing that intelligence back into that single multi-agency intelligence hub in the UK, which we can then act upon where there is a UK end to it, but sharing that with Europol in all instances, and, importantly, having strong bilateral arrangements, particularly with the French but with some other member states as well. I think we are on the way to simplifying that system and process, but still think it is going to take a little bit of time, particularly the further we get away from the UK, seeing the appetite that exists for lots of host nations to be looking to collect intelligence to understand what it means for them, given the extent of the problem at the moment.

For me, it is about multi-agency hubs nationally, as well as internationally, and the ability then to effectively share that intelligence and to be able to connect our investigative teams in order to take forward, where necessary, joint investigations, but certainly the sharing of investigative evidence and intelligence, where we are able to do so.

Lord Jay of Ewelme: The impression you give is that you think things are quite a bit better than they were, but have some way to go until they provide you with the hubs of intelligence you really need.

Tom Dowdall: I think that there is a greater intent by international partners, as well as the work we are doing here in the UK, to simplify what has existed previously. The intent is there and it is important. There are discussions, at both the political and the operational level, with some of our key partners along that migration route. Through that, there is a shared view and intent in terms of how we would go about collecting some of that intelligence.

Everybody grasps the importance of people-smuggling and organised immigration crime. There are not that many people whom you need to convince any longer that, actually, it is quite important for law enforcement to step up to do what it needs to do. A while back, you may well have had a more difficult conversation to try to persuade others; I do not think that exists any longer. That intent is there. That plan in place, both nationally and with European colleagues, is there. We are now starting to see some operational results coming out of that. The task force received funding before the end of July, so we very quickly looked to build that team. We have already posted a number of our international officers as part of that task force.

My point at the very outset is that this is an enduring issue and we need to make sure that what we are putting in place actually has the ability to address the right set of problems and ensure that we have effective building blocks. Intelligence sharing is the really important effective building block that we need to have in place.

Q47 Lord Ribeiro: Do you agree with the Director of Europol that, to date, the European response to migrant smuggling has been more on enforcing border controls than actually on enforcing the law enforcement element? I have in mind that there has been a great change, where the focus has been on Greece and Italy at the bottom end, and now suddenly we are seeing this huge movement coming through the Balkans, providing opportunities for Albanian gangs and others who are obviously exploiting the new route.

Tom Dowdall: The Director of Intelligence for Europol probably has that broader view across member states, in terms of that balance between border control and criminality. From our perspective, what we have welcomed has been the growth and focus on the serious and organised crime element of illegal migration. The two issues clearly go hand in hand, in terms of effective border controls, as part of the disruptive elements that need to be put in place.

It is important that we understand how the risk is changing dynamically, as you quite rightly say. Whilst the media coverage has shown the movement from Libya to Italy, actually, when it comes to the UK, the biggest risk for us has been from Turkey through to Greece. That is where we see the evidence of the number of migrants coming to the UK, who have often taken that route. The route through the Balkans is not new either. It is something that has been used in time.

As well, we have seen evidence that this is not just about people who are moving across the Mediterranean. We have seen evidence where groups of individuals have been flown as far away as Moscow, then flown into the near continent and then put on trucks to come to the UK. There will be a whole host of different methodologies that are put in place to do that.

Back to my previous answer, what we have seen is this greater intent from law enforcement across Europe, through Europol as well as bilaterally, in terms of what the focused effort needs now to be around organised immigration crime, the complexity of dealing with

opportunistic criminality, as well as also getting under the skin of those who are operating at the more sophisticated end.

Lord Ribeiro: The Action Plan makes a point about prevention of smuggling. One of the things that you cover very well in your partnership work in your paper, internationally, is the collaboration you have developed overseas. I am thinking particularly in the sub-Saharan context, with the transit camps in Chad, Kenya, Ethiopia and so forth. Where is the penetration of Europol working with the organisation of the African Union to try to get intelligence in those camps to try to prevent the smugglers? The camps are a very good source of business for the smugglers in identifying people to move on.

Tom Dowdall: You are quite right. The intelligence collection plan has to be what we can get from source countries, as well as through transit, as well as what we get at this end. What we have learned from our experience with our international network has been building those co-operative relationships with host authorities, being able to put in place with them some very clear asks and requirements, so that they can support our activities, no matter what the criminality or the crime types involved. Certainly, we are keen to share our experience with Europol and with other countries as well, in terms of being able to cement those intelligence plans.

I would say that some of the experience of debriefing—I was at Europol just over a week ago, so from some of my conversations with Europol there—is that getting some of the intelligence from the migrants would clearly differ from place to place. Clearly, where migrants feel that they are under some duress or coercion from smugglers, the quality of that intelligence that we get may not be so great. Similarly where migrants may well feel that they still have further to go, they still need to access smugglers, so, again, the quality of any debriefing and intelligence we might get may not be quite as effective.

Some of the most effective intelligence we get is often from those who have completed the journey, because they will feel less at risk from the smugglers. They may well have a view about the experience that they have had during that period of time.

It is quite important that our collection plan needs to ensure we are getting intelligence from the source countries. That may well be from the camps, but, equally, it may well be, and it needs to be, from the host law enforcement that we are dealing with. In some instances, we have to build capacity to provide us with the means by which we can access or create that intelligence in the first place, as well as what we need to put in place in transit countries. Again, the debriefing effort that we are encouraging Europol to take forward, and which we are putting in place in the Mediterranean area, is important and clearly has a dividend closer to home, either on the near continent or here in the UK. The collection plan needs to embrace that whole end-to-end part of the journey, so that we can just assess the veracity of the intelligence we are getting.

Lord Ribeiro: Finally, if Europe decides to open its doors much more, in the way Germany has suggested, do you think there is a danger that one might take one's eye off the intelligence side of it, because a door has been opened?

Tom Dowdall: It is important that we do not take our eye off that, quite frankly. Do I think that will happen? I do not know really, at this stage, to be perfectly frank. I do not think that whatever decisions may well have been taken in Europe in recent days detract from what law enforcement is doing, in all of these countries, against the smugglers and against those who are seeking to exploit. I would make a distinction between decisions that might be taken that may allow movement of people within the Schengen area, for example, and the intent of law

enforcement in those countries to continue to pursue the criminal gangs and criminal networks.

We only have to look at what happened on the Austria/Hungary border with the vehicle two weeks ago. That really serves as a reminder that, actually, I do not really see that my law enforcement colleagues, either in Europol or in other parts of Europe, will take their foot off the gas.

Q48 Lord Soley: Law enforcement requires, at the end of the day, legal cases and prosecutions. Do you have any information available about successful or unsuccessful cases that have come as a result of your activities, or is this just left to the individual countries? Do you have any assessment at all of the success of prosecutions?

Tom Dowdall: Where the UK has been involved, then clearly we can share some of that with you, and I am happy to do so in writing.

The Chairman: It would be very helpful if you could send us that in writing, please.

Tom Dowdall: As far as European partners are concerned, certainly my understanding is that Europol themselves are putting reports in place around the success of JOT Mare and the progress around JOT Mare. We would need to see how much of that is put into the public domain or not, but again we can either pose questions directly, or the Committee may want to ask that question directly of Europol as well.

Lord Soley: Presumably it would help you and your colleagues in other countries to know how successful prosecutions have been.

Tom Dowdall: Take the close relationship that we have with the French, for example, at the moment, where the intelligence that we are sharing in both directions will help to underpin prosecutions that have been taking place in both cases, or in the case I mentioned earlier of the individuals who were moved under European Arrest Warrant to Belgium and then subsequently prosecuted. There are certainly good examples that we have and which I would be happy to share.

Q49 Lord Morris of Handsworth: Mr Dowdall, do forgive me if I am wrong in my assumptions here, but I get the impression that the agency is running very hard, with a lot of effort, but is still behind the curve, in terms of moving not just the debate but the activities that follow. I am reinforced in this because the Action Plan reinforces the importance of financial intelligence-gathering and co-operation. It is at something of a late stage that it is introducing new measures now to deal with smugglers' online activities. One would have thought that this would have been built in at the start of the problem. My question is: should more resources be invested in either or both of these aspects of tackling migrant smuggling, at national and EU level? Do you have a resource problem?

Tom Dowdall: At EU level within the work that Europol is undertaking through the Joint Operation Team Mare, they have a dedicated team that they have now built, which we, the UK, wish to contribute to around financial investigations and understanding how the money is flowing. Similarly, for some months now, they have had a social media team in place, looking to build intelligence and to undertake disruptions around social media.

From the UK perspective, we have within the NCA, with partners in both the public and the private sector, a Joint Money Laundering Intelligence Taskforce. That covers the whole range of financial crime, but it is important, given that we bring together the principal financial institutions here in the UK, as well as law enforcement, so we are able to share the kinds of issues, concerns and requirements that we might want to place upon the private sector. The

support that we have had so far has been important around that. We have shared with this group, the Joint Money Laundering Intelligence Taskforce, information and requirements around financial flows, flows of money. Of course, it represents difficulties, because some of that financial flow does not involve the UK at all. Some of that money is not moving into the UK, so there are limited opportunities, but there are opportunities nevertheless and there are areas that we are exploring at the moment.

I said earlier on that there are some intelligence gaps. One of those intelligence gaps is really understanding those financial flows well enough. Those gaps exist not just here, in terms of our knowledge here in the UK, but in the knowledge that exists in Europe and, I dare say, further afield as well. This comes back to catching up on what we have done in other crime areas, such as drugs, for example. It is filling that gap, bridging that gap. Because of the nature of the criminality and because that criminality is compartmentalised, some of those financial flows are actually quite localised and do not necessarily touch the international banking systems. It is complex and really difficult to get under the skin of that. Where we are able to, we are now progressing that.

In terms of social media, I would say that, at both European as well as national level, it is quite a key component of the task force work that we are doing here in the UK and in the work that European colleagues are doing as well. We are seeing the extent to which some crime groups are using social media to communicate and engage with individuals. Sometimes that is a very simple message saying that there is a vessel leaving in two hours' time if you make your way to a particular location. Sometimes it is something that is longer term, where crime groups are putting information out there, essentially selling their services. We are looking to use that for an intelligence-gathering purpose, but also where we can actually disrupt those social media outlets, by taking down those sites or other action that we might take.

As well, the nature of the criminality over time has changed, even in such a short space of time. Actually, the exploitation of social media is not necessarily that long a phenomenon. In terms of the way the crime groups are operating quickly, our ability to respond quickly and understand how they are exploiting social media is growing as well.

Lord Morris of Handsworth: Do you think you have the resources necessary to produce results in proportion to the problem that you have analysed?

Tom Dowdall: The investment that has been made in the task force is going a long way to providing the core of how we respond to the overall problem. What we will need to ensure around that is that broader law enforcement, be it policing or other parts of the Home Office Border Force and Immigration Enforcement, has an ability to respond to the disruption opportunities that come out of the task force. The task force is there to lead the way. It is there to provide that critical mass of how we deal with the problem but, clearly, that is not the only resource that will be deployed. That is how we would deal with crime anyway. If it is a priority for UK law enforcement, then it would require the involvement of the other players to be part of that.

Q50 Lord Condon: Thank you very much for your evidence so far. Could I just develop a little more the role of the task force? Against the very dramatic escalation of the size of the problem over the last couple of months—and you yourself have said it is going to be an enduring problem, so we are talking years that this is going to be a major problem for policymakers, nationally and internationally—could you give us more of a feel for how the Organised Immigration Crime Task Force is being built up? It could be argued it is a relatively modest investment. You are talking about getting up to 90 people; when will all those 90 people be fully operational?

What will be the top one, two or three tasks they should immediately be taking on, and how will you, the other agencies and outsiders get a feel for the performance criteria? What are the things we should be looking at to make a judgment around whether that task force is actually succeeding or not? When will it be operational, how will it be co-ordinated and what are the performance criteria that you think we should be looking at?

Tom Dowdall: The task force is a 90-strong task force incorporating the NCA, Border Force, Immigration Enforcement and the CPS. That task force involves the deployment of overseas assets into source transit countries, as well as into Europol.

Lord Condon: Are those named individuals who are working with them now or are they still to be recruited?

Tom Dowdall: They are there.

Lord Condon: Those 90 are up and running?

Tom Dowdall: No. In terms of the international assets, we have put most of those in place in those countries. That has been difficult. Well, that is always a difficult thing to address, because we are working through host nation authority and other issues. To move where we have moved from July through to now to get those individuals actually located in those countries around the world has been a success. In terms of the wider team, a number of those resources are now in place. The remainder of those resources will be in place in a matter of weeks.

Lord Condon: Percentage terms to 100% completion?

Tom Dowdall: In percentage terms, we pretty much have almost all of our overseas assets in place. In terms of what we are looking to put in place in the UK, in the next few weeks, I think we will be at or almost at 100%. Even in the intervening time, even in those areas where we are bringing in new resources, that work is currently being undertaken, so the task force is operational at this point in time.

Lord Condon: In terms of performance criteria, how we will know they are making progress?

Tom Dowdall: In terms of what it is we are seeking for the task force to undertake, it is partly intelligence-gathering, the identification of both individuals and vessels of interest and for us to be able to identify and therefore take disruptive action against either or both. It is also in terms of our ability to identify and seize the assets of the criminal groups, so that would be in terms of the financial investigation work that we would seek to undertake. It is about disrupting activities, either through arrests or through other interventions that we might undertake, including the denial of assets, including the prevention of using unseaworthy vessels. It is our ability to put in place effective debriefing arrangements within the Mediterranean, and the intelligence and the information that we share with Europol.

Lord Condon: In terms of comparative data, if we ask you in a year's time to compare what you were achieving then to what you are just starting to achieve now, will there be comparative numerical data?

Tom Dowdall: Part of the success would be that we understand the intelligence picture far better than we had previously, there are fewer intelligence gaps and, where we have identified those gaps, that we have sought to fill them. It would be in those areas. We will be able to compare where there have been prosecutions here in the UK, which have directly related to the work that we have done in the Mediterranean, and we can directly draw a comparison between activity that took place before the task force and activity that has taken place since

then. Equally, where we have been able to put in place other disruptions, we will be able to compare actions that we have done around unseaworthy vessels, which is work that we are doing with private-sector partners and bodies such as the IOM to look at some of the maritime arrangements that exist. We will be able to show and to quantify those disruptions and therefore be able to ultimately preserve life.

Lord Condon: How is the task force monitored at the most senior level within the four agencies, at DPP level or at Director General level in your own organisation? How hands-on have they been and will they be in the notion of getting the task force up and running and keeping that momentum going?

Tom Dowdall: The task force and the work to create what is being delivered through the task force is being reported on and discussed at the highest levels, including the National Security Council, which is where some of the original tasking actually came from for the task force. We will be reporting performance, as well as reporting how we use the money that has been allocated for our work through the NSC, but also directly with Ministers. Underneath that, we have a gold group structure that has been created, multi-agency, to both deliver the capability as well as ensure that the performance and the objectives are being delivered.

Lord Condon: Who is the gold commander?

Tom Dowdall: I am the gold lead for this piece of work, but my responsibility then is to report directly to the NCA board and to the Home Office and all of the partner agencies that are involved. There is an architecture in place that involves oversight and reporting, both to Ministers, as well as at DG level.

The Chairman: In your opinion, is it an effective architecture? Does it work?

Tom Dowdall: We have the funding. We are well on the way to putting in place the team. So far, what has been really important is seeing the extent to which there is a clear interest and oversight from NSC level downwards. Actually, I think it has been effective and it allows us to move quickly to put in place what it is that the Prime Minister set us to deliver in the first instance.

Q51 Lord Cormack: It is just a very brief question and all I am seeking is a reassurance. You have an enormous task. We have sympathy with what you are seeking to do and of course want to see that it is as effective as possible. We all have enormous sympathy for these poor refugees and an understanding of economic migrants, but can you reassure the Committee that sufficient priority is being attached to try to establish how many are infiltrating, because some certainly will be, into the refugee groups and the migrant groups, whose intentions might not be honourable or decent, in other words terrorists and those who would support the evil ISIS and all the rest of it? Are you devoting sufficient attention to try to identify any such elements?

Tom Dowdall: We are working closely with our counter-terrorism colleagues on this issue. While in terms of dealing with the criminality side, it is a serious and organised crime issue, we are alive to the fact of where there are other threats and are ensuring we have close co-operation and close work with our colleagues who lead on those other areas. We are not looking at this simply in a myopic way.

The Chairman: On behalf of the Committee, can I thank you very much indeed for very comprehensive answers? If you can, send us the written information about the investigations that Lord Soley asked for. If on reflection there is anything further that you think would assist us with our inquiry, we would be very grateful to receive it. Thank you very much indeed.

Tom Dowdall: Thank you very much. Thank you for the welcome. I hope I have been of help.