



Home Affairs Committee

Oral evidence: [The work of the Home Secretary](#), HC 299

Tuesday, 21 July 2015

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Members present: Keith Vaz (Chair); Victoria Atkins, James Berry, Mr David Burrowes, Nusrat Ghani, Mr Ranil Jayawardena, Tim Loughton, Stuart C. McDonald, Keir Starmer, Anna Turley, Mr David Winnick

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Examination of Witness

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

Q1 Chair: Could I welcome the Home Secretary and could I, on behalf of the Committee, congratulate you, Home Secretary, on your reappointment? Certainly when you last came before the Committee, I did not think I would be sitting here and I did not think that you would be sitting there, but that is the way it is.

Mrs May: Déjà vu, Chairman.

Chair: Indeed. We have some new members of the Committee to spice things up. You have now been Home Secretary for five years and three months. Just for the record, that is 1,893 days, and in just 112 days' time, you will be the longest-serving Home Secretary in British history, overtaking Rab Butler. Why are you still there?

Mrs May: I am afraid that is probably a question you should ask the Prime Minister, Chairman, but I am certainly pleased to be here, because there is still more work for us to do in the Home Office. We made a lot of change over the last five years, but there are still aspects, for example, of police reform that I want to continue and finish.

Q2 Chair: When he reappointed you, you obviously have to do what the Prime Minister says. It was obviously a vote of confidence in the way in which you handled what is probably the most difficult department in Government. Did you accept it because there was unfinished business or was there something more he wanted you to do?

Mrs May: Obviously the Prime Minister wanted me to carry on with the work that had been started. As I say, there are particular areas where I think it is important that we continue and finish, as far as possible, some of the issues, for example police reform, and the work we will be doing on police complaints and disciplinary system, putting that into practice, and on issues around police bail. There are still issues out there that need to be dealt with and will be dealt with in forthcoming legislation.

Q3 Chair: I have to say, you poached one of our brightest members as your new parliamentary private secretary, and we wish Mr Ellis, who sat on this side of the Committee room, well in his career as your PPS. I also give an apology: because this session is starting at 4.00 pm, I had a pre-engagement, a seminar on Yemen, with the Foreign Minister of Yemen flying in for that, so I will have to vacate the chair. Mr Winnick will take over if it goes on slightly longer than we anticipate, so my apologies for that.

Let me start with Tunisia. I think the whole country was delighted to see you go out to Tunisia to be with others following the tragedy of Sousse and you said that you would stand shoulder to shoulder with the Tunisian Government and the Tunisian people. Was it a surprise to you then when the Foreign Office changed the travel advice and said that British citizens should not go to Tunisia, bearing in mind that it does dramatically alter the economy of that country?

Mrs May: I recognise the impact on the Tunisian economy, but I think it was always the case that we were looking at the protective security around not just hotels, but also obviously transport, airports and so forth that would affect tourists. That was an issue that was raised when I was in Sousse. As you say, I was not just with the Tunisian Interior Minister, but also with my French and German opposite numbers as well, and of course there were two German citizens who lost their lives alongside the 30 British tourists who lost their lives in that terrible attack. We wanted to look at the protective security and we put in place some work very quickly to do that and will be continuing now to work with the Tunisian Government on the measures that need to be put in place to enhance and increase the security that can be provided for tourists. It is against that background that obviously the decision was taken to change the travel advice.

Q4 Chair: Sure. There is a view that COBRA and the NCA meeting every week should have foreseen the possibility of an attack on British citizens abroad. Clearly, the first responsibility of the NCA is to protect people in this country, but with hundreds of thousands of British citizens going to North Africa, a volatile area, if you look at Egypt and the possibility of attacks in other parts of North Africa, should we have foreseen the possibility of this attack?

Mrs May: If I may, Chairman, you are probably referring to the NSC rather than the NCA in relation to this matter.

Chair: Yes, of course.

Mrs May: Obviously we do consider, when we are looking at the national security strategy, at the threats that we face. We do not just look at homeland security, we also look of course at British interests and British citizens overseas and the potential threat that there might be to those people overseas. That is part of the considerations that we take into account. But as you will know, in these matters in relation to terrorist attacks, we live now in a world where the threat is increasingly diverse, where there is a greater degree of spontaneity in terms of attacks that take place. As you have heard me say on the Floor of the House and elsewhere, our security

services, our CT police, our security and intelligence agencies do an excellent job, but of course they are constantly having to look to see where threats might lie and sadly, as we have seen on this occasion, the terrorists were able to conduct an attack and it led to terrible loss of life.

Q5 Chair: But I met the Speaker of the Tunisian Parliament yesterday, and he met Tobias Ellwood, the Foreign Office Minister, and they informed us that at every hotel in Tunisia there is now an armed police officer and British tourists get—if they were able to come—escorts from the airport to their hotels. Does that not satisfy you that there is enough safety for British tourists in countries like Tunisia?

Mrs May: As you will recognise, in the UK we do have significant expertise in looking at matters around protective security, and protective security encompasses a number of actions that can be taken. It is on that basis we have been talking to the Tunisian Interior Minister and others about the actions that might still need to be taken, or the other things that they could put in place to enhance their protective security.

Chair: Mr Winnick has a question on this point.

Q6 Mr Winnick: This is obviously a very, very sensitive topic, people being buried and loved ones are in mourning. Home Secretary, obviously we all recognise that the Government of the day has a duty of responsibility to give appropriate warnings to potential holiday-makers, but is there not a danger that if security can be maintained in, say, Tunisia we should not discourage tourism, because otherwise it is a victory for the terrorists, for the mass murderers, and that is precisely what they want?

Mrs May: I would agree, Mr Winnick, but I think we would all hope that the Tunisian economy can be such and it is important that Tunisia is a democracy, and we all want to ensure that that country is able to maintain its democracy, but also have a stability that ensures that it is a country that people will be able to visit. At the moment, the threat level is such that an attack is highly likely. As I say, there is work still ongoing with the Tunisian Government on the issue of protective security, but one of the aspects that I have discussed and colleagues have discussed, particularly with colleagues inside the European Union, is the question of support to Tunisia to ensure that we can ensure that its economy, as such, is able to maintain its stability.

Q7 Mr Winnick: Just one more question. As I understand the situation, the Tunisians are in active dialogue with the British Government at various levels. Is there a possibility the British Government may feel later on—not much later on—that the situation is such that British holiday-makers will not be discouraged from going there? Is there a feeling perhaps in time that the security is sufficient?

Mrs May: We will always of course keep travel advice under review, and that travel advice will reflect the circumstances we feel pertain in any particular country. You are absolutely right, we are in continuing discussion with the Tunisian authorities about the issues around protective security and some other aspects; indeed, not just the British Government in conversation with them about that, but our French and German colleagues continue to be discussing their contribution as well.

Q8 Chair: Thank you. Let us turn now to other aspects of CT, in particular the Prime Minister's speech yesterday, which set out a strategy for five years. He made the speech in Birmingham and he

talked about the need for integration. Now, sections of the Muslim community are concerned, because they see this as a criticism of them. Is the real problem not that there are a small number of people within certain communities who are engaging with Daesh and who want to undermine the values of this country? It is not the whole community or it is not a section of it. He referred to the need to engage with poor communities, but all the evidence is those who are going abroad are not poor, they are sometimes—I have met them, I am sure you have met them—people from middle-class families who have decided they want to go and fight abroad because of the foreign policy of successive Governments. Does it not take into account the fact that when immigrants come to our country, they tend to settle near other immigrant communities, as I did and my parents did when we came to settle in this country, and so talking about moving them out of Bradford and Oldham or recognising these areas as being potentially problem areas does not provide us with the answer? Sorry, that is one of my longest questions, but it is an important issue.

Mrs May: It is an important issue and it is a complex issue, Chairman, and obviously the Prime Minister was setting out a number of actions that the Government is taking in this area. In due course, in the autumn, we will be publishing a counter-extremism strategy, which will be a wide-ranging strategy and will be looking at a variety of issues. Part of that will be about this cohesive communities programme that we are looking at, and as you heard from the Prime Minister yesterday, he has asked Louise Casey particularly to take this issue on. I think what we want to do in looking at that strategy is to be encouraging and to be working with communities on what I would call the positive promotion of the values that we all share and are the very values that encourage many people to want to come and live in the United Kingdom. We have a wonderful—

Q9 Chair: Can I just stop you? Is the problem not with us as well, we do not have—“we” meaning members of the non-Muslim community—that desire to go out and integrate with the Muslim community? The question was asked on the internet recently how many Muslim friends do we have; if we had a private family and friends gathering, how many of them would be of the Muslim faith? Is it a two-way process: it is not just the question of them integrating with us, it is all of us integrating together?

Mrs May: There is certainly more that can be done in terms of, as I say, promoting the values that we share and working on that greater cohesiveness across communities. This is partly the work that obviously Louise Casey is going to be undertaking or looking initially at the barriers to perhaps that integration or cohesiveness in society. But what we want to do—and when I talk about the counter-extremism strategy, it is not just about Islamist extremism, it is about extremism of all sorts, neo-Nazi, for example, as well—is looking at what it is that leads people to try to divide us as a society and overcoming that, overcoming the narrative that tries to divide us, but also, if you like, giving support to communities, many of whom actively want to overcome that narrative, but perhaps are not in a position to or do not feel that they have the ability or the structures or the support to enable them to do that.

Q10 Nusrat Ghani: One of the things that was raised yesterday in the Prime Minister’s speech was segregation, and the Prime Minister said, “Segregated communities are breeding grounds for extremists”. I want to explore that a little bit further and talk about segregated communities within those segregated communities. If you were a liberal Muslim and you wanted to raise attention to some extremism activity happening among a group of individuals who were trying to radicalise, whether in a community space or within a religious space, what support do they have to make sure

that if they came forward and wanted to report these incidences that they would be protected within their own communities which they do not wish to leave?

Mrs May: This is an important issue, which I would argue goes wider than the issue of extremism. I think there are some other things that sometimes will happen within certain communities and is not restricted to Muslim communities, but if you look at issues such as forced marriage, female genital mutilation, these are issues where honour-based violence—so-called honour-based violence; I do not think there is any honour in it—these can be things that sometimes people within communities will see and feel it is hard for them to report to the authorities. Certainly in some of those aspects we have made some legislative changes to try to ease the situation, but across the board, and we will look at this in terms of the extremism aspect, it is looking at what are the processes that enable people to report, for example, looking at the concept of some sort of hotline that enables people to be able to provide that information in a way that is not going to identify them, such that they then get the sort of comeback from others within their community.

Nusrat Ghani: Can I explore that a bit more?

Chair: Of course, yes.

Q11 Nusrat Ghani: If I can shorthand it and say if people wanted to become whistle-blowers, for example, there is a feeling that they will become ostracised within those communities and they have no space to retreat to. If we can take our minds back to the Trojan Horse incident in Birmingham, a number of families were trying to speak to their local councillors, their police, their local leaders, to the local authority, just sharing their concerns on certain extremism behaviour within those schools or within groups that were linked to those schools. They were ignored for a long time. When their names were made public, they feel on some occasions they have not been given much support. It does not create a huge amount of confidence in those communities for people who want to be engaged and report what is going on?

Mrs May: I understand the point. If I may, there are probably two groups of people that we are looking at, one of those who we might help and encourage to feel able to be whistle-blowers, but with a degree of anonymity attached to that, so that they are not identified within their communities, and that is why we are looking in a number of areas, including in relation to other issues like child sexual exploitation, about how we can help to support people to be able to blow the whistle on what is happening, but not feel frightened about doing that, because they think there is going to be a comeback.

Then there is a separate issue of those circumstances perhaps where people have done so but have been identified, for whatever reason that is, and then feel that there is that sort of ostracisation taking place against them. Obviously there is a need to look at—and we have the experience of Trojan Horse—and to be able to see the sort of tensions that can come from within a community when that happens.

Q12 Keir Starmer: Can I apologise? I need to leave at 5.15 pm, so no discourtesy meant. Can I ask you about the strengthened role of Ofcom in dealing with channels that broadcast extremist content? The definition of extremism obviously gets broader, or it has been broadened, and there is therefore the potential for a conflict between the sort of free speech principles that we stand for in this country and the need to deal with extremism. How do you envisage that balance being held? Is that something that you input into or the Government inputs into, or is it something that is Ofcom's responsibility?

Mrs May: One of the things we are doing at the moment is precisely discussing with Ofcom on this very issue as to how we should be approaching this. I think we feel that there is more that it should be possible to do in relation to extremist content and extremist material, broadcasting material, and so those conversations, those discussions with Ofcom are taking place at the moment.

One of the things we have done in another area, for example, in terms of the online material on the internet is we have this counter-terrorism internet referral unit here in the UK and have been active in developing with Europol one for Europe, where material can be reported, and a significant number of pieces, I think it is something like 90,000 pieces have been taken down since it started in 2010. One of the issues we have looked at very much in that context, and are continuing to look at, is how we work with companies themselves in terms of their own terms and conditions so that they are more actively looking also at content that is developed on whatever their platform is.

Q13 Keir Starmer: But that tends to be in the nature of private online material. The Ofcom work will cover, as I understand it, broadcasts of a public nature, and therefore this free speech extremism debate is more acute in that context. Is free speech part of your debate with Ofcom and is there a requirement for Ofcom to be explicit about how they are going to balance article 10 free speech issues with the need to take such action as is necessary?

Mrs May: The concept of free speech, the need to maintain that concept of free speech, is always at the back of what we are doing, because we recognise these are very difficult areas, and drawing lines between these is not something that can be done just at the stroke of a pen, it has to be given incredibly careful thought. That is why the discussions with Ofcom have not come to an absolute position yet, they are continuing, but of course in due course, when we publish the counter-extremism strategy I think we will be able to say more about where we have come to in terms of that balance.

Chair: Thank you. On Ofcom, Nusrat Ghani has a quick point.

Q14 Nusrat Ghani: Thank you so much. We often talk about the internet and grooming and having extremism material, but we sometimes forget the TV. It is far more accessible, you can flick the channels far more easily and come across different types of programmes that can hold extremist views. This morning Sharon White, the CEO of Ofcom, spoke earlier at the DCMS Select Committee. She confirmed that Ofcom do not proactively look at the sites available in the UK. Do they need more resources, do you think, or should they be much more proactive in checking what these channels are doing, what different type of content is available so easily to the young and old within their own homes?

Mrs May: Yes. I have not seen the evidence that was given by the CEO of Ofcom at the DCMS Select Committee, but I think it is a function of the nature of the role that Ofcom currently plays. I think I am right in saying that the powers that Ofcom currently has are after the event, so something is reported to them and then they are able to look at it and decide whether something should be done about it, but of course by that stage it has been shown. This is part of the discussion we need to have.

Q15 Victoria Atkins: Just on something you said, Mr Chairman, about certain parts of society feeling perhaps they are being targeted, is it not right that all the things we have been talking about,

including with the Assistant Commissioner—and I appreciate you may not have heard it—shows that good policing happens is if police officers operate with the consent of the public and with their help? The basis of the Prime Minister’s speech was very much about us as a community, whether we are Muslim or not, acting together to help the police where there are people who wish ill upon on society. Is that not the basis of what he was saying?

Mrs May: First of all, you are absolutely right in terms of policing in the UK and that is policing by consent. It is also absolutely right that what the Prime Minister was saying is that there is this ideology, this poisonous ideology, that is encouraging people to extremist views, to be radicalised and potentially to take violent action, and we need to address that. But it is a whole society effort, I think, that is what he was talking about, which is about all of us in communities working together to ensure that we are countering that ideology and, as you say, working with the police and ensuring that people have the confidence to be able to come together, to be able to come and report where they are concerned about somebody, perhaps the parents who are worried about whether their teenager is showing activity or behaviour that suggests that they might be thinking of going to Syria; the teacher who is worried about something that they see in the school, and of course we now have the statutory Prevent duty for the public sector. It is a collective effort in that.

Q16 Stuart McDonald: A very short one, if I may, Home Secretary. Clearly quite a lot of the agencies involved in implementing the new counter-extremism strategy will be agencies such as police, education institutions and so on. Can you reassure us that devolved Administrations have been involved up to now in drawing up this strategy and implementing it and that they continue to do so?

Mrs May: I had a meeting, I think it was last week or the week before, with Michael Matheson, the Scottish Justice Secretary, and we discussed exactly how we are going to take forward the work on the counter-extremism strategy, because obviously although this is counter-terrorism and counter-extremism, these are essentially reserve matters, but as you say, there will be agencies who are devolved in Scotland, and indeed elsewhere, who will be operating under that policy. The intention is to have full discussions with the devolved Administrations about how these issues are going to be implemented, and about obviously trying to ensure that when we do produce the strategy, there are no unintended consequences.

Q17 Stuart McDonald: Absolutely, that is very welcome. Just to pick up on one point there, is there is debate about whether or not counter-extremism is devolved or reserve? I do not mean that to cause an argument, but just as a matter of law. It is just the nature of how the Scotland Act works. Some might suggest that counter-extremism itself is a devolved matter.

Mrs May: This is one of those discussions that balances on exactly at what point of the spectrum perhaps you look at this issue. Counter-terrorism and national security are clearly reserve matters. There are aspects in which looking at extremism fit into that aspect and approach of work. This is precisely where we want to discuss with the devolved Administrations about how we can ensure that a counter-extremism strategy is able to be applicable across the United Kingdom.

Chair: David Burrowes. We are just moving on to surveillance and other issues.

Q18 Mr Burrowes: Can I just pick up on the other issues first in terms of passport disruption? In November, I had the figures that you had refused or cancelled 29 passports to disrupt travel of people planning to engage in terrorist-related activities. Do you have the up-to-date figures?

Mrs May: I think that is the most recently-published figure, but if I may, Chairman, unless somebody from behind is able to find the immediate figure, I will write to you if I cannot find it in here.

Q19 Mr Burrowes: If it comes to you in the course of this session, that would be helpful. Do you think you have sufficient powers in that regard?

Mrs May: Yes, I think the Royal prerogative is the right power to have in that regard. Of course, in the Counter-Terrorism and Security Bill, we did introduce the further temporary power for the police to temporarily remove passports from people at ports, which is a power that they have exercised since it came in in February. They are then able to make further investigations and potentially take further action against an individual, depending obviously on what they find in those investigations, so we have enhanced the power in terms of disrupting people's travel.

Q20 Mr Burrowes: The Prime Minister has mooted giving parents the right to cancel the children's passports. Has that call come from yourself seeing the concern of increasing numbers of girls going abroad, for example?

Mrs May: Yes. If I may, I think the figure is now 30 for the exercise of the Royal prerogative.¹ We have looked at this increasing concern, that we have seen younger and younger people going to Syria, more teenagers being involved. We saw obviously the three girls from Bethnal Green, but there have been other examples too. The position is that the passport of somebody under the age of 16 is technically held by their parents and their parents can ask for that to be cancelled. We are looking at what happens between 16 and 18 in relation to the powers available.

Q21 Mr Burrowes: Did you say the updated figure is 30?

Mrs May: I understand, yes, the Royal prerogative has been exercised 30 times over the last couple of years.

Chair: It is an extra one.

Q22 Mr Burrowes: Yes, so it is an extra one since we last heard in November. How does that reflect in terms of the numbers that are going abroad and does that illustrate whether we are doing all we can in relation to disruption concerning passports?

Mrs May: Disruption will take a variety of forms in relation to people who may be seeking to travel abroad. The Royal prerogative, the removal of somebody's passport, is, I believe, a significant power that the Home Secretary holds and should be exercised only in those cases where it is absolutely clear that it is necessary and proportionate to do so. Of course in terms of the number of people over the period of the last couple of years or so who have gone to Syria, that is 30 overall of around 700 people of interest who have travelled to Syria or Iraq, so 30 is the number against whom the Royal prerogative has been exercised. But as I say, it is a significant power, and I think it is right it is only exercised when it is necessary.

¹ Note by witness: The figure of 30 is only up until the end of 2014. (There were six uses in 2013; twenty four in 2014). The Home Office does not have the figures beyond then.

Q23 Mr Burrowes: The Data Retention and Investigatory Powers Act 2014 was struck down by the High Court last week. Will that impact upon draft legislation coming before the House in autumn? I appreciate you have until March as the time period.

Mrs May: Yes. Obviously, as you indicate yourself, the judgment has been stayed, so the powers still remain in place until next March. Of course, we are appealing that judgment that took place. Whether or not the outcome of that will have an impact on the Investigatory Powers Bill that we are proposing will partly depend on the timing of the appeal and further judgments, but of course we do take account, obviously look at the legal environment in which we are operating whenever we bring draft legislation forward.

Q24 Mr Burrowes: Do you recognise that with David Anderson, the Independent Reviewer on Terrorism Legislation, the Royal United Services Institute, and now the judgment in last week all provided some consensus around a judicial independent review for access to data being necessary, that that is a matter that should become an issue of the House, not least in autumn?

Mrs May: The whole question of the power in terms of interception material, which of course was the key issue where David Anderson referred to his proposal that the warrant should be judicial authorisation rather than Secretary of State authorisation is one that we are continuing to look at and will in due course, obviously when we publish the draft Bill, come forward with. Of course the question of the DRIPA judgment—as I think you described it—is in relation to the court’s interpretation of the European Court of Justice decision in the decision that they took a while back in relation to data retention issues.

The point I would make on that is first of all, that is not about interception, that was about access to communications data. Secondly, the European Court did not say it should be judicial authorisation, they said “independent or judicial authorisation”, and thirdly, of course what Parliament did when it looked at the Data Retention Investigatory Powers Act was to determine what we in the United Kingdom believed was appropriate independent authorisation, so the processes were changed as a result of DRIPA, and a new definition of independent authorisation was put in place. That was the will of Parliament, and it is that that has been overturned by the court.

Q25 Mr Burrowes: Yes, but it is obviously rare to have primary legislation struck down in this way by courts. Is there a timeline—although there is until March—so that you will be able to come back before the House to say where we go from here?

Mrs May: As I indicated, we will be appealing, and obviously we wait to see. I do not as yet know what the likely timetable in relation to that appeal is going to be, I am afraid.

Q26 Chair: Just concluding CT, do you think that there is now a case for a separate organisation that deals with extremism on the net, an equivalent to CEOP, because this is where most of the radicalisation appears to be happening, not in communities, people living next to each other. All the evidence suggests it is net-based. Europol now has its own mechanism on a European basis, but should we try to mirror what we do with CEOP?

Mrs May: First of all, obviously as I indicated earlier, the European mechanism for taking material off the internet has been very heavily influenced by the experience we have had in the

UK with the CTIRU, which has been taking something like 90,000 pieces of material down from the internet since 2010. I am not sure there is a need to have a separate investigatory organisation. CEOP has two roles. Part of its role is an educational role in terms of educating young people, educating parents and others about online protection, but the other part of its role, of course—and significantly, it is in the National Crime Agency—is about identifying cases and investigating those cases and bringing perpetrators to justice. Obviously there are a number of agencies that are involved in investigation in relation to counter-terrorism matters.

Q27 Chair: Let us turn to immigration. The Prime Minister reappointed you as Home Secretary, despite the fact that you failed to meet the immigration target, and you gave an explanation for that during that the election campaign, but you reimposed the target. Do we now have the same target again or is it lower?

Mrs May: No, we have the target of the tens of thousands. We have set that target for a very good reason, which is because of the impact that uncontrolled immigration has.

Q28 Chair: Sure, we understand the reason. So it is 100,000 again, is it?

Mrs May: It is the same target, yes.

Q29 Chair: The same target. Will it be easier to meet the target now you do not have to deal with Nick Clegg and the Liberal Democrats in Government? Now you have a Conservative Government, you are much more able to put forward your own agenda, rather than having to worry about a coalition partner, and this time, in five years' time, when you come back before the Committee, will you have met your target?

Mrs May: It is certainly the case that there will be certain measures that we are able to put in the Immigration Bill we are bringing forward to Parliament in due course that were measures that we would have wished to have introduced prior to the election, but were not able to, because we were in coalition Government. But there is course one element of what has been happening in terms of the net migration figures, which is not about the Immigration Bill, because it is about EU migration, and of course that is part of the considerations that were taken in relation to the reform of Europe.

Q30 Chair: Yes, we will come on to that. Just to be clear, what you are saying to this Committee is that you will have met your target within the whole Parliament, that is five years, or is it before the five years?

Mrs May: The aim is to meet it by the end of the five-year term of Parliament.

Q31 Chair: Right, so in total you would have had 10 years to reach that target from the time you first said this?

Mrs May: We will have been looking at it and, as you know, Chairman, there was a time when in fact the net migration figures were falling, and what has happened since is that we have seen a significant increase in EU migration, which has contributed to the upturn in the figures.

Chair: Of course. So you will have had 10 years to reach that target from when you first mentioned it?

Mrs May: We will indeed have been in Government for 10 years, five of those in coalition, Chairman, and five as a majority Conservative Government.

Q32 Chair: Okay. Now, when James Brokenshire came before us, I asked whether, like Queen Mary, he had Calais written on his heart or somewhere else in the Home Office. James Brokenshire has just written to us with a breakdown of the £15.8 million that you have spent on Calais. You are obviously committed to this. You have travelled over to Calais, you have met Bernard Cazeneuve, but as a result of the £15 million, the fence has blown down twice and the numbers in Calais have gone up from 600 to 3,000, according to the French, but 5,000 according to Eurotunnel. Are we ever going to solve this problem of Calais? Is this always going to be there?

Mrs May: I think the answer is, Chairman, that resolving this problem and resolving this issue is not purely about the security arrangements that are put in place in Calais. It is about working in countries of origin to ensure that people less feel the need to try to come to Europe; it is about dealing with the organised crime gangs; with the people-smugglers. A comprehensive response is needed, a comprehensive package of activity is needed in order to deal with this problem. In looking at what we do at Calais, of course we are looking to enhance the security to ensure that we prevent clandestines from being able to come to the UK, but also provide extra security for those people who are driving, be it in cars or lorries, through the port, not just at Calais, of course, but Coquelles crucially as well for the Eurotunnel.

Q33 Chair: Indeed, but the people of Kent, and I know you have met the Kent MPs, are going—

Mrs May: I am meeting them this afternoon.

Chair: —berserk about this. We have had emails to the Committee from residents saying that the tail-back in Kent is 36 miles, 36 miles of lorries, and they do not think that having a secure area in Calais is going to solve the problem for the people who do matter to us, the electors of the United Kingdom. They do not think this is going to help.

Mrs May: If I may, Chairman, you are slightly conflating two issues in relation to Calais. The security steps that we are taking are for the protection of, as I say, people driving through and to ensure that we can reduce and try to stop clandestines from coming into the United Kingdom.

Chair: Sure.

Mrs May: The issue of the tail-backs of traffic in Kent, the so-called Operation Stack, of course arose because of the periods in which it was not possible for people to be travelling through the port of Calais, or indeed at times through the Eurotunnel at Coquelles, because of the strike that took place as a result of the MyFerryLink workers.

Q34 Chair: But it is not just the strike. If 150 migrants run into the Channel Tunnel, then they are going to stop the trains, are they not?

Mrs May: That is precisely why we are working with Eurotunnel and taking action at Coquelles.

Q35 Chair: Yes, but should we not be spending some of this money in countries like Italy and in the source countries, because it is to stop them coming in the first place? I am not suggesting that you should do this, you are the Home Secretary of this country, but I have been to Italy and Calais and I have met with, along with members of the Committee, the asylum seekers. You are right, they have paid an awful lot of money to come over. One in Italy said he had paid \$5,000 to get to Italy and he would pay the other \$5,000 when he reached the United Kingdom. They are going to Calais, desperate to come over. Two of the migrants died only yesterday trying to swim from Calais to Dover; they drowned and their bodies were washed up, I think, in Norway. These people are absolutely desperate. Are fences going to be enough to stop desperate people trying to throw themselves into lorries and into the sea in order to get here?

Mrs May: As you yourself said at the beginning of your question, Chairman, if I may, this is not just an issue of the security we provide at Calais or Coquelles or at any other port. It is an issue of working upstream. You indicated you thought some of this money should be being used in Italy or in upstream countries. We have put resources into the Italian effort; we are putting resources into the Europol effort to deal with the criminal gangs and people-smugglers who are dealing with these issues; we are looking at not just the United Kingdom, but more collectively across the European Union, how we can help to provide support in the countries people are originating from so that they have less need to be coming to the United Kingdom and there is a more stable economy and so forth.

Q36 Chair: Sure, but your taskforce, which we welcome, is only getting up to speed in November according to the Italians, the joint initiative with the NCA and the other agencies. Your secure zone in Calais is only going to start in the autumn. Those of us who have been here a long time will know that the autumn could be an extendable season in terms of government initiatives under successive governments. Shouldn't we be doing all this now rather than waiting until the end of the year?

Mrs May: Well, it is not a question of waiting until the end of the year, Chairman. There are a number of initiatives being taken. The taskforce that we have set up with officers from the National Crime Agency but also from other agencies within the UK is one element of what we are doing. The initiative that is taking place in Italy in terms of Europol is under a Europol flag. We are putting resource into that but so are others, and that is now getting going. We are also providing extra support in terms of intelligence and information gathering to identify the criminal gangs. There is a whole variety of activities that we are involved in and approaches we are taking because we do need to be looking across the board if we are going to deal with this issue.

Q37 Stuart McDonald: Home Secretary, in the first six months of this year I think we have seen something like 137,000 attempted crossings. A third of them were Syrian nationals. We have had others from Afghanistan, Somalia, Eritrea. Would you agree that a fair characterisation of that crisis is a humanitarian crisis and a refugee crisis?

Mrs May: I think there are numbers of figures that are put out by Frontex and others in relation to people travelling across the Mediterranean. There are, of course, the two routes of people travelling. One is the route from Libya into Italy. The other is people going across the eastern Mediterranean. There can be a difference in the types of people travelling in both of those routes, but it is not the case that this is solely a humanitarian issue. It is not solely an issue

of refugees. There are many people who are coming who are economic migrants, who are illegal migrants, trying to enter into countries in Europe, including the United Kingdom, and coming from countries like Nigeria and Senegal.

Q38 Stuart McDonald: Okay. Those were UN figures that I was quoting, but regardless of validity, even so tens of thousands then are going to be Syrian nationals. Does it not follow logically that if instead you provide alternative safe routes for these Syrian nationals through resettlement and other programmes you could, therefore, prevent thousands and thousands of crossings, save lives, and that the failure of the Government to do that is putting people into the hands of the people smugglers and ultimately some of them will end up hanging around Calais?

Mrs May: This Government has contributed to the effort to save lives in the Mediterranean. We have had HMS Bulwark in the Mediterranean. We now have HMS Enterprise there. We have a Merlin helicopter. We have two Border Force cutters in the Mediterranean, and a significant number of lives have been saved as a result of the action that has been taken by the UK Government. We are certainly playing our part in relation to that aspect of this issue, but I will repeat, if I may, Chairman, what I have said on the floor of the House in relation to Syrian refugees. If you look at the number, we are talking about 2 million, maybe 3 million Syrian refugees in total. This is not a number of people who it is going to be possible to accommodate through disbursement across Europe. Many of those people in any case want to be able to return home as soon as it is possible for them to do so, and I continue to believe that the significant effort that the United Kingdom is putting in, I think we should be proud of what we have done as a country to support Syrian refugees. Nearly £900 million now has been donated in terms of aid of a variety of sorts to support Syrian refugees, the second biggest bilateral donor in the world. I think that is something that we should recognise as a huge effort that has been put in by not just the United Kingdom Government but the people of the United Kingdom.

Q39 Stuart McDonald: I agree absolutely that we should be proud of the humanitarian aid that we are providing and equally I would agree that you cannot resettle everybody. It is true that there has to be compromise between the two solutions. In fact, international aid organisations themselves I think wrote to the Government in November of last year and they said, “We applaud Britain’s generous aid contribution to the crisis, but Syria’s neighbours are struggling under the weight of this unprecedented crisis”. I think the UN has said that the infrastructure is buckling. Do you not recognise then that international aid is welcome but alongside that we need resettlement at the same time?

Mrs May: The United Kingdom also plays its part in terms of accepting a number of Syrian asylum seekers and we have, of course, a number of programmes that do that, including the vulnerable persons relocation scheme that we set up, which we are now slightly expanding, which is very much focused on those who are most vulnerable and in most need.

Q40 James Berry: Home Secretary, are you aware that councils in London have offered to house Syrian refugees—indeed, my own council, Kingston Council, was the first council to do so, offering to take in 50 Syrian refugees—so that is correct that there has been an offer of support there?

Mrs May: Yes. I am grateful to those councils who we have been able to work with to ensure that those who we are relocating can be accommodated here.

Chair: It is not often you get an offer like that when you come to the Home Affairs Select Committee.

Q41 Keir Starmer: Home Secretary, there has been a lot of focus on the tactics at Calais, but in the end the only solution is upstream in the transit or source countries where we are working and our work has increased and we are integrating our work within the EU. There are difficulties. What are the terms of engagement for our teams when they are working with a country upstream in relation to the record of that country in complying with international obligations? Because we work with another country, we need to work with those other countries, but we also need to adhere to the international rule of law. What are the terms of engagement when we work upstream in those important countries?

Mrs May: Obviously, the situation that we are dealing with will vary from country to country, but we are very clear whenever we are working with countries about the need for us to be clear about the human rights obligations and those matters. It is very difficult in some countries in terms of the approach that they take, which is different from that that we do, but there are certain frameworks within which we operate. The Foreign Office does quite a lot of work in looking at the ways in which it is possible and those states where it is possible for the United Kingdom to work with other governments and the agreements that will be necessary in some cases in order to enable us to do so.

Q42 Keir Starmer: These are difficult environments and to some extent we cannot police whether they comply with their international human rights obligations, but I understand that we usually emphasise the importance of complying with international human rights obligations as part of the package of support and work that we are prepared to offer.

Mrs May: Yes, and there is a framework within which we will be prepared to operate with a particular country. Sometimes we will look for assurances from a country when we are dealing with them across a range of issues, in fact, so that we can have the confidence in relation to those obligations.

Q43 Keir Starmer: Do you think that the current debate we are having here about whether we will continue to be a member of the European Convention on Human Rights and uphold our own international obligations is having a beneficial or detrimental effect on our ability to work in those difficult environments where we are asking others to comply with international human rights obligations?

Mrs May: I do not think it is having an effect precisely because the Government is very clear that we recognise human rights obligations. The question is the legal framework in which those are framed.

Q44 Nusrat Ghani: Organised crime groups that you mentioned earlier on, Home Secretary, are motivated by money. I am looking at the Frontex report here and detection of facilitators or organised crime groups rose from 7,252 in 2013 to 10,234 in 2014. What work is being done with our European partners not only to stop these people being able to find people, to move them along in illegal migration, but also hit them where it hurts to make sure we can recoup or find where this money is kept?

Mrs May: We have stepped up the work that we are doing with our European partners in this area and there have been a number of joint operations that have taken place now with the French, with the Italians, with others. Some activity has taken place under the Europol banner, if I can describe it as such, and successfully so in terms of arrests of individuals involved in this. I think we all recognise together, us and other partners, that this is something that we need to step up. That is why we are putting this extra effort into the organised immigration crime taskforce that we have set up.

Nusrat Ghani: Can I come back with one very quickly?

Chair: Yes, very quickly.

Q45 Nusrat Ghani: I will be very quick. In the UK there were 32 live investigations and 22 organised crime groups that were disrupted up to February 2014, but the total custodial sentence to date is 148 years. Is that enough to deter organised crime groups?

Mrs May: Well, we have been strengthening our ability to deal with organised crime groups in a number of ways and it is not just about the sentencing guidelines. Obviously, in some areas we have increased the sentencing—for example, in terms of modern slavery with the Act that we passed shortly before the general election—but there are other things that we have done as well. You mentioned hitting them where it hurts earlier. Under the Serious Crime Act that we passed before the election we have made it harder for people to get out of paying and having assets confiscated through acting on people around them, sometimes assets held in other people's names, things like that.

Q46 Mr Burrowes: As at 31st March this year 3,483 people found themselves in immigration detention, the highest in the last five years, and in total 30,902, again the highest in the last five years. Is that too many?

Mrs May: I think when anybody is going into immigration detention you have to look on a case by case basis as to whether it is appropriate for them to be in detention. It is always preferable where somebody is due to be removed from the United Kingdom to be able to do that as quickly as possible and to restrict the amount of time that they are spending in detention. Unfortunately, sometimes the circumstances are such that it is not possible to do that but, as you will know, earlier this year I asked Stephen Shaw to undertake a review of welfare in detention and he has been looking at that issue. Obviously, I have yet to receive his report.

Q47 Mr Burrowes: When he reports, will it have any implications on the numbers that are in immigration detention?

Mrs May: I cannot say whether it will or not until I have seen his report.

Q48 Mr Burrowes: Lord Bates on 26th March said, "As a statement of intent, we do not as a direction of travel want to see growth in the numbers of people in the immigration detention centres". Do you agree with him?

Mrs May: We are doing an exercise to look at our detention state and at what we do in relation to detention of people. Stephen Shaw's work is going to be an important contribution in terms of welfare in detention, but as I said earlier, I think we would all want to see that if

somebody has no right to be here in the United Kingdom that they can be removed or leave the United Kingdom as soon as possible and that for those for whom it is necessary—because perhaps of an abscond risk—that they are detained for a period of time that that period is as short as possible.

Q49 Chair: Let us close the immigration section with this plea. Do you think you or James Brokenshire would be able to stop in at Calais on your way to your summer holidays to see for yourself what is happening there?

Mrs May: I am not sure that it would be possible for either of us to do that on our way to our summer holidays, Chairman, but you can rest assured that we are both keeping in touch with what is happening in Calais.

Chair: I am not sure whether that is a yes or a no in terms of a future visit but we think it would be helpful to go because the situation is getting very severe over there and, indeed, in Kent.

Mrs May: You can rest assured, Chairman, that we are well aware of the significance of the situation in Kent.

Q50 Chair: Excellent. Let us move to policing. I have one quick question on your excellent decision on water cannons. I think the House found it a decision that we could welcome. However, the Mayor of London has branded your reasons for rejecting water cannons as, and I quote, “trivial” and the commissioner, the man that you appointed as commissioner, said that his team had seen all 67 recommendations and he believes that he has addressed all of them. We do not want to open a big discussion on it because you have made a decision and we are glad after 13 months that you have. How do you react to what the Mayor has said and what the commissioner has said? They now have three water cannons costing £218,000. What on earth should they do with them?

Mrs May: Well, that is a decision for the Mayor, of course, and for the Mayor’s Office for Policing and Crime. The decision I took was on three bases. I did look at the medical and technical issues and obviously you have referred to the 67 issues that SACMILL raised in relation to the water cannon. I also looked at the question of the operability of water cannon and at the impact should water cannon be used in Great Britain on British policing. It was on the basis of all three of those aspects that I took the decision.

Q51 Chair: Yes, but these two key people said that you are wrong. The commissioner says he has addressed all the points and when the commissioner of the Metropolitan Police says he has dealt with all these issues, should you look at it again or is it closed for the time being?

Mrs May: I have made my decision, Chairman, and I would simply point out that the commissioner was making reference to one aspect. As I said, there were three issues that I looked at, including the operability of water cannon or the circumstances in which they could be used in operations, and there were mixed views across policing in Great Britain about that. I also looked at the question of the impact on British policing.

Q52 Chair: Is it correct that the Mayor's version of events is that you were going to write to him with a written decision and then you suddenly decided to make a statement to the House and he was most concerned about that? Is that correct? Was that the original process?

Mrs May: The Mayor wrote to me I think it was about three months ago with a further representation and I responded to that. Thereafter, it was always the case that I was going to make my decision and announce it in the way I chose.

Q53 Mr Jayawardena: Home Secretary, today the Home Office has launched a consultation on police funding. Could you tell us more about that and why it is that you are now reforming police funding?

Mrs May: I think it is true to say that there has been a longstanding concern about the way in which the police funding allocation formula has worked from a variety of sources, including quite a few Members of this House. We felt that it was appropriate to look at it. It had become very complex. The whole question of not just the original formula but the damping arrangements I think were felt by some to cause problems. Some forces argued they were unfair to them. I felt it was appropriate to look at the funding formula and what we are consulting on is a concept of a much simpler funding formula, which I hope people would be able to understand more easily than the current formula that has been in place. Of course, in the past we have had two elements of the formulas. There is the Home Office element and the DCLG element that has been there. We are looking at simplifying the regime so that people can understand what is being done.

Q54 Mr Jayawardena: I welcome what you say on reducing the complexity of the system and, indeed, dealing with damping, which has affected many forces against what they reasonably expected they would receive. I wonder if you had seen the National Audit Office's report into police force funding where they say that the department has applied the same percentage funding reduction to all forces. They go on to say that this did not consider, in effect, the relative efficiency of forces and so as a result a police force that was highly efficient as at 2010 has been affected in the same way as those that were not. Will consideration be given to introducing efficiency as one of the criteria in this new simple approach?

Mrs May: Well, the funding formula itself will have a very limited number of elements to it. It is obviously correct that we took the decision that we were going to apply the same budget reductions across all forces rather than trying to find some yet further complicated formula that applied differential budget reductions across the forces. That was a decision I took because I felt that it was appropriate at the time to do that and not, as I say, to try to come up with some further complexity in the system in relation to this matter. What we will be looking at in future is trying to ensure that the formula better reflects the requirements that there are in any particular force area. We are trying to do this simply so, as you will see, it is a much simplified formula.

Q55 Mr Jayawardena: When the Public Accounts Committee questioned your Permanent Secretary they made this point that it did not incentivise value for money. Although in the criteria that had been looked at, the principles, under principle 4 it does suggest that incentivising Government objectives should be considered as part of the funding and, indeed, that is democratically the right thing to do. At the moment, it would seem to me that it is slightly missing the point that PCCs can make efficiency savings in the knowledge that their funding will continue to be estimated on the basis of objective indicators in the long run, but it does not take into account what has already

happened. Will you give consideration through this open consultation to ensure that past actions are also taken into consideration?

Mrs May: I recognise there are some forces who HMIC have said have worked very hard at ensuring that they are very efficient in what they do and have transformed their approaches and have dealt very well with budget changes that they have had over the last five years. I think one of the difficulties in this arena is that by definition if you give money to a force that is more efficient there will be other forces that are less efficient that may find that they have greater difficulty in coping with their demands precisely because they are less efficient. It is always a very difficult balance in terms of the demand and need versus the efficiency.

What I think we need to be doing and are doing as a Government is encouraging all forces to look at all the options that they have to ensure that they can increase their efficiency. We will be looking at a number of ways in which they can do that and encouraging them to do that. Indeed, that is what HMIC is doing. There is further scope for collaboration between some forces. Some forces, like Hampshire force and Thames Valley, which is where my constituency is, have had for some years now a collaboration on IT, for example, which has proved to be very effective. Not everybody has those sorts of collaborations.

Q56 Mr Jayawardena: My last question, if I may, Chairman, is this. The Minister of State rightly said that in some aspects police reform is working and there is further to go, as you outlined in your opening remarks. To that effect, where there are less efficient forces, would it not be good to encourage them to become more efficient, however difficult that is, because it is the right thing to do?

Mrs May: One of the issues now, of course, is how the Home Office undertakes its role here. Our role is to encourage greater efficiency but then HMIC also has a role to play in that. Now we have directly elected police and crime commissioners who are responsible for the budget and the strategic plan for the force, it is very much down to them to be making decisions about the budget, obviously working with their chief constables. Certainly, we make efforts at the Home Office to point out to people areas where they can see potential savings. One of the reasons why I encouraged and we did set up—perhaps slightly later than I had hoped—the police ICT company was that that is a very good example of an area where I still believe there are efficiencies to be made.

Q57 James Berry: Home Secretary, when you are considering the new funding settlement for police forces, will you re-examine section 25 of the Police Act 1996, which sets out the basis upon which the police can charge, for instance, sports clubs and major event organisers for policing services and generally look at the nature of the police's revenue-raising abilities?

Mrs May: That is an interesting aspect to raise. We have in the last five years on a number of occasions looked at the question of the ability of the police to raise funds. It has been particularly pertinent in relation to sports clubs and, of course, there was actually a legal decision in relation—

Q58 James Berry: I was involved in that, I should say, as a lawyer but that obviously did not go in the police's favour and that is obviously an area in which the police could raise revenue. I was just wondering if it was something that the Home Secretary and Home Office might consider looking at in the round as something where the police could raise revenue if it was considered appropriate.

Mrs May: It is not an issue that has been recently raised with me by the police, I have to say.

Q59 Anna Turley: I would like to stay very briefly on funding for one question before I move on, if that is okay. I was quite reassured to hear you say that efficiency will not necessarily be the criteria on which you decide the level of funding. You mentioned the word “elements” and I wondered if you could give us some indication of within this new simplified framework what those elements were in which you prioritise. For example, we have had a big discussion today obviously about counterterrorism and the demands on all police forces, not just the Met, that that creates. What are the priorities of the criteria that you are using to look at the funding model?

Mrs May: Obviously, we have launched the consultation. What we are basically looking at is a funding formula of which the baseline is population, but then there are certain elements that are in there. We are consulting on certain elements to try to reflect demand on different forces. There are still obviously significant aspects of crime that are alcohol related, so looking at aspects like I think density of bars in the police force area, those are the sorts of things, trying to find some measures that statistically can be shown to be relevant that will be a proxy for the demand that could be placed on the police. In terms of counterterrorism, of course, counterterrorism policing funding is separate and is ring fenced, so that is not one of the elements that is in there.

Q60 Anna Turley: Thank you, that is helpful. The question I was originally going to ask was for an update on stop and search in the context of the fact that we know that 27% of stop and search records do not contain reasonable grounds to search people. Obviously, we are in the context of increase in knife crime and new legislation potentially introducing a mandatory six-month prison sentence. I just wondered if you could give us an update on that and what your department is undertaking.

Mrs May: Yes. You yourself have mentioned one of the reasons why I looked at this issue of stop and search, which was the HMIC report that did find that about a quarter of stops and searches were effectively being conducted potentially illegally because the grounds were not being properly reflected. I think only about 10% of stops resulted in an arrest and I felt that we should change that balance. I am pleased to say that all the police forces, including the British Transport Police, have voluntarily signed up to the best use of stop and search. I think that when we look at the figures now we have seen a reduction in stops and searches. They have become more targeted and more effective and the proportion resulting in arrest has more than doubled since 2009-2010, so we are seeing an impact on this. If you are a young black man your chances of being stopped and searched are now much closer to those for a young white man than they were previously.

On the issue of knife crime, police-recorded knife crime is down 18% since 2010 and when you look at the latest statistics I think what we are seeing is a better recording of this, not necessarily more violent crime. Just to give you a couple of the figures that lead me to think that, in 2014 admissions to hospitals for violence-related injuries fell by 10%. This is according to work that is done by Professor Jonathan Shepherd at Cardiff University. According to the National Police Chiefs Council, the volume of violent crime reports to the police only rose by 1% in the last year, but the number of violent crimes recorded increased by 23%. I think that gives us a message that what we are seeing is better recording, so I would not jump to any conclusions about this in relation to stop and search. It is absolutely right to be looking at stop and search and I think the

broader range of figures suggest that what we are seeing in relation to violent crime is better recording of that.

Chair: Thank you. We will come back to knife crime. I know Mr Burrowes and others want to come into that.

Q61 Victoria Atkins: You mentioned police and crime commissioners. Of course, they have been around since 2012 and the public is going to deliver their verdict on them next year in the elections. What are your thoughts on the progress that police and crime commissioners have made nationally and do you have any plans for them nationally?

Mrs May: I think the first thing to say as a returned Conservative Government is that our plan for them nationally is that they stay. Of course, had a different Government been returned, then police and crime commissioners would have been abolished. I think it is absolutely right that they stay because I think they have been doing a very good job. Indeed, we saw yesterday in Northamptonshire the retiring chief constable of Northamptonshire saying publicly that he felt that the police and crime commissioner had introduced a greater degree of transparency and accountability into the system and that was precisely one of the reasons why I felt the police and crime commissioners were important. What we have interestingly been seeing is some very good examples—as it happens Northamptonshire is one of them; I think I am right in saying Hampshire is another one—where there is increasing work, for example, between the police and the fire authority in terms of co-operation and collaboration. We are seeing with police and crime commissioners normally chairing the local criminal justice boards them trying to work together to bring the criminal justice system as a whole together to be more effective at a local level. I think there are some really interesting developments that are now starting to take place.

Chair: Thank you. James Berry.

James Berry: The Home Secretary gave a very full answer and has answered my question already.

Chair: Oh, right. That is amazing.

Q62 Mr Winnick: How is the Home Office going to cope with what the Chancellor has just announced, a 40% cut from departments such as yours, Home Secretary?

Mrs May: We are obviously at the moment looking at any figures that the Treasury has asked us to look at and we will be producing our proposals in due course, Mr Winnick. What I would say in relation to this is that, of course, across the board we have to recognise that if we are going to ensure that we have the sort of economy that can enable us to pay for our public services, then we have to continue to deal with the deficit.

Q63 Mr Winnick: This is quite a—I was going to use “devastating”. Perhaps you would consider that an exaggeration, but it would certainly have quite an effect, if one does not use the word I have just mentioned, on policing and other aspects of the Home Office. I take it that you are what is described as an unprotected department?

Chair: Not you personally, the department.

Mrs May: Yes. I am trying to think exactly how to—we are certainly not one of those departments whose overall budget has been identified as being protected although, as you will

know, Mr Winnick, one of the things the Chancellor also announced in his Budget was protection for a certain amount of money on security matters. Of course, some of the Home Office responsibilities are in relation to security.

Q64 Mr Winnick: Our constituents, I think without exception around the table, obviously expect the police to be around to provide the protection that the police always have done, the rule of law to be protected and the rest. How do you see the effect of what is being asked of your department by the Chancellor on day to day policing?

Mrs May: I think you raise an interesting question, which is about the future: what is the demand on British policing now and how can the police best deal with that? There are a number of issues that I would say that we need to look at overall in policing, and I am not talking about the budget here but in terms of where capabilities lie within policing. If you think about it, if you look at some of the problems that the police are now dealing with, child sexual exploitation online, for example, the police officer on the street probably will not know if somebody is sitting in their room in their house either being the perpetrator of that exploitation or the victim of that exploitation. How we deal with these issues is something we have to look at. There is a greater transformation that we need to bring about.

Q65 Mr Winnick: As far as police numbers are concerned, would you expect there to be a reduction in the present numbers by 2020?

Mrs May: One of the issues that I think it is important for us to look at is the whole question of flexibility in the police workforce and how we ensure that policing has the skills that they need to be able to address the crimes that we are increasingly seeing today.

Chair: Is that a yes or a no?

Mr Winnick: Yes, quite.

Mrs May: It was neither a yes nor a no because I do not take decisions about police numbers, Chairman.

Chair: Keir Starmer, sorry, I meant to bring you in earlier.

Q66 Keir Starmer: Thank you, Chairman. Home Secretary, can I ask you about the statutory inquiry into undercover policing, which I welcome? When I was DPP my own investigations identified undisclosed undercover officers in a number of places, which had an impact on the safety of the convictions and those cases had to go back to the Court of Appeal. Given the breadth of the inquiry that has been set up, there is every possibility that similar cases may come to light. Is that within the terms of reference of the inquiry and, if so, is there a plan as to how those cases will be dealt with?

Mrs May: One of the aspects, of course, is if you recall Mark Ellison originally looked at this issue and identified areas where he had concern and then did some further work, which has identified again increasing concern about the extent to which there may be some problems here. That is why we set up Lord Justice Pitchford's inquiry. I apologise because I do not have the terms of reference absolutely in my head at the moment, but I think it is certainly the case that it may be that such circumstances are found. One of the things that we asked Mark Ellison to look at was the need to refer any cases to the appropriate body for looking at these. Of course, he has

not been able to do that. I think he has found that it is a more complicated picture than we had at first hoped it might be or thought it would be.

Chair: Thank you very much. Let me now move on to drugs and Mr Burrowes. Do you want to just pick up on the knife crime issue?

Q67 Mr Burrowes: First, yes. Just following on from your response about knife crime, it does not seem to agree with what is happening on the ground, for example, in somewhere like Enfield where, talking to police, quite rightly the revision of the reasonable grounds criteria to ensure there is not improper use is now seeming to curtail proper use. Reasonable grounds ends up becoming effectively beyond reasonable doubt before a police officer gets involved in arresting and searching. Officers are telling me that knife crime is going up. Just last week, 16th July, a male throat was slashed by a knife; 19th July, a fatal stabbing in Enfield over an argument over the sale of an item on Gumtree. There is a real concern that police officers are going around effectively with one hand tied behind their back in relation to this. We want to ensure that there is still continued proper use of the reasonable grounds criteria. How would you reflect on that?

Mrs May: Well, I would argue that far from police officers having one hand tied behind their back, we have taken a number of steps in order to strengthen the ability to deal with knife crime when it takes place; for example, the new offences that we have brought forward.

Q68 Mr Burrowes: Yes, it is only going alongside. The Met commissioner himself said if we are getting to the stage where people think they can carry knives with impunity that cannot be good for anyone. There is an argument for more use of stop and search focused—that is an issue mentioned—on high knife crime areas and targeting gangs. Enfield, sadly, is one of those areas.

Mrs May: But one of the changes in terms of stop and search is precisely an expectation that police forces will use them in a much more focused and targeted way so that they are able to have greater impact, that they are using them, and also obviously working with communities to make sure that communities are aware of the purpose of the stops and searches that are taking place. When the commissioner he wishes to target and focus stops and searches more effectively, that is exactly one of the elements of what we would hope to see as a result of the best use of stop and search.

Q69 Mr Burrowes: Shortly before the end of the last Parliament we had the Brooke Kinsella strategy. We have now had at last the implementation of the two strikes and you are out, which I was involved in, that mandatory sentencing. Is there a time to have a review of the effectiveness of both the prevention side of things and also the enforcement side to see whether we have it right or whether we now need to go further, whether it is a one strike and you are out or further action in relation to prevention of people taking knives in the first place?

Mrs May: Obviously, I have worked with Brooke Kinsella and I think she has done an excellent job in raising the profile of the problems of knife crime for young people. I think one of the things we do need to do is to continue trying to stop young people carrying knives in the first place because the fact is if you have a knife the evidence is you are more likely to use it, by definition. If you are asking are we about to do a major review in relation to knife crime and what needs to be done in knife crime, there are not any plans to do that but, of course, it is an issue that does come into some of the work we do on things like gang and youth violence, which we

will be continuing. We set up work on ending gangs and youth violence under the last Government and we will be continuing with that work.

Chair: Let us turn to drugs, Mr Burrowes.

Q70 Mr Burrowes: In relation to the Psychoactive Substances Bill, it is a novel Bill that seemed to ban all psychoactive substances but the ACMD are concerned that the word “novel” is not included in the definition.

Mrs May: No, and I have written to the ACMD about this. I think one of the concerns is about the unintended consequences if you had “novel” in the definition. I think there was a different understanding of the term “novel psychoactive substance” between us in that our concern was that if you wrote the word “novel” into the legislation then anything that was already in existence would not come under that definition. The ACMD had a slightly different interpretation of “novel” but I have written to them with my reasoning and I think we will be having a discussion with them on that point.

Q71 Mr Burrowes: Their advice is that psychoactivity in a substance cannot be unequivocally proven so how will a jury be able to be convinced beyond reasonable doubt to secure a conviction?

Mrs May: That is another area where we intend to work with them. I think that the concept that you look not just at the makeup of a particular drug is the right one. We have already banned something like 500 of these so-called legal highs and we have this forensic early warning system, but what we were finding increasingly, and indeed what the ACMD themselves have raised with us, is the problem that as soon as you ban one combination that makes up a drug it can just be tweaked very slightly and you have to go through the whole process again. Hence trying to change the approach and looking at the effect of the drugs rather than just the makeup of the drugs. We are in discussion with the ACMD about some of the more detailed aspects of how one can do that.

Chair: Thank you. James Berry has a quick supplementary.

Q72 James Berry: The job of the police in identifying people suffering from the effects of these kinds of drugs and suffering lethal conditions like excited delirium is a very difficult one. It is difficult to train on as well. Do you support the joint working between police and medical staff such as nurses going out on patrol with the police as a way to reduce the very pernicious effect of these drugs?

Mrs May: What we have done in terms of encouraging police and working with the Department of Health so that there is healthcare advice either on the phone or an actual individual with the police for people who are in some form of mental health crisis I think is a very good initiative. We are already seeing that it is having a beneficial impact on police but also on those individuals, the fact that they get better care rather than simply being taken to a police station. The police officer feels that they have somebody there who understands the nature of what is being presented to them rather than feeling that they are ill-equipped to be able to deal with somebody.

Q73 Chair: I will just say to colleagues we have a vote coming up so we will try to be as quick as possible. We do not want the Home Secretary to come back after the vote. We will conclude at the

vote. Very quickly, your top three asks on Home Affairs in respect of the Prime Minister's renegotiation?

Mrs May: One of the key issues, of course, we are going to be looking at is around free movement and particularly abuse of free movement. The Prime Minister first did this last November. We have already set out some of the issues we will be looking at in terms of access to welfare benefits. Some of the other issues we are working on in relation to free movement, of course, are issues around, for example, exchange of criminal records so that we can get better information exchanged between us. It is around aspects of free movement so it is not three separate issues. Aspects of free movement are the key things.

Q74 Chair: In particular, will you ask for a review of the current position where an EU citizen living next door to a British citizen is able to bring their spouse in under the £18,600 limit, whereas the British citizen has to satisfy the authorities that they have an income of £18,500? An EU citizen does not have to do so.

Mrs May: I recognise the challenge that that presents. We will be looking at a variety of aspects of free movement in the negotiations, but those have only recently started.

Q75 Chair: On FGM, the Government should be commended. Bedfordshire Police have taken out the first protective order, but we still do not have another prosecution on FGM. The cutters are about cutting away and young girls are still very vulnerable, but nobody has been prosecuted. Are you frustrated at this, the fact that there has just been no progress?

Mrs May: I think everybody is frustrated at the fact that there has not been a prosecution. Obviously, one of the issues over time has been about encouraging people to come forward and report what is taking place. We now have the mandatory reporting in relation to certain people in the public sector and certain cases, which I hope will lead to an ability to identify those who are performing this terrible action and, therefore, lead to us having better ability and a better prospect of prosecuting somebody in the future.

Chair: Thank you. We will now turn to the Goddard inquiry and Tim Loughton will begin the questioning.

In the absence of the Chair, Mr Winnick was called to the Chair

Q76 Tim Loughton: Home Secretary, are you a lot happier with where the Goddard inquiry is now than when we last saw you?

Mrs May: I am trying to remember when I last came before the Committee, but what I would say is that I think Justice Goddard has shown already in a relatively short space of time how dedicated and committed she is to this issue and that this is an inquiry that is going to not allow anything to get in its way in terms of getting to the truth.

Q77 Tim Loughton: Why did you leave it so late to send out guidance about protecting material that might be relevant to the inquiry?

Mrs May: There have been various stages at which references have been made to other government departments in relation to the protection of material that might be relevant to the inquiry.

Q78 Tim Loughton: The latest guidance only went out on 23rd June giving various people months and months and months where they might conveniently destroy material. It could have been done a lot earlier, couldn't it?

Mrs May: The latest guidance did go out. I believe I did write to the Cabinet Secretary prior to that pointing out the issues, the way the Home Office was addressing this and the fact that the Home Office as a department had had an earlier moratorium on the destruction of certain material.

Q79 Tim Loughton: But you knew when you ordered that inquiry into the missing 118 files or whatever that it was absolutely essential that all material should be made available to the inquiry well beyond just the Home Office because, again as you know, this involves many different departments of government and agencies controlled by other departments than just the Home Office, so why did an instruction not go out ensuring that potentially interested material was protected at an early stage?

Mrs May: First of all, I would point out that the Home Office cannot instruct other government departments to act in a particular way. We can say that we would wish other government departments to act in a particular way because we have obviously given a commitment that material should be made available to the Goddard inquiry. As you know, there have been both reviews and investigations by Wanless and Whittam into files within the Home Office. There has been an issue about files that have been discovered elsewhere in government, which they have also looked at, so their work has extended beyond that originally intended. However, nobody in any government department should have been in any doubt about the intention that the Government had of ensuring that material was available for the inquiry when it was established.

Q80 Tim Loughton: Contemporary with Wanless and Witham, though, did you write to every other Secretary of State suggesting they might like to take similar protective measures against potentially relevant material?

Mrs May: I believe at the time when Wanless and Witham first reported, I wrote to the Cabinet Secretary.

Tim Loughton: Not to other—

Mrs May: I am very happy, Mr Winnick, to put a letter to the Committee setting this out.

Q81 Tim Loughton: There is still the grey area of the intelligence services, is there not? What exactly is your interpretation of what material will be available from intelligence services and of the degree of co-operation now required of them by this statutory inquiry?

Mrs May: My understanding is, as I have said previously, that the security and intelligence agencies will be co-operating fully with the inquiry and will make material available to the inquiry.

Tim Loughton: What does that mean? In terms of full accessibility of any material that the inquiry might want to see, you would expect intelligence services to provide that material, either on a public or private basis?

Mrs May: I was going to say, there may be circumstances in which certain material can only be provided in a limited sense to the inquiry because it is not possible to provide that material publicly. However, I am not just hoping but encouraging the development of what has happened in relation to other aspects of this, which is an agreement on the basis on which the agencies can share material with the inquiry.

Q82 Tim Loughton: There are no exemptions, as far as you are concerned, with providing that material either confidentially or publicly?

Mrs May: I want material to be provided to the inquiry, such that we can get to the truth.

Tim Loughton: That is not what I asked. As far as you are concerned, there should be no exemptions?

Mrs May: I have made clear that I believe that the agencies should be co-operating fully with the inquiry.

Tim Loughton: With respect, Home Secretary, that is not what I am asking. Either there should be exemptions in certain circumstances that need to be set out, or your expectation is that there should be full access—with the caveat that it may need to be done on a privileged basis—and you do not want to see any documents or other material exempted from being made accessible to the Goddard inquiry.

Mrs May: We have not set any exemptions on material.

Tim Loughton: There are no exemptions?

Mrs May: We have not set any exemptions.

Q83 Tim Loughton: Finally, £18 million for the first year when, as yet, for understandable reasons, the inquiry has not reported anything: can that be justified to the public?

Mrs May: I think what is important is that we have the inquiry up and running. Of course, you yourself, as somebody who has campaigned long on these issues, are well aware we had—if I may put it is as such—a couple of false starts with the appointment of chairmen who then were not able to continue. Obviously the panel that had been set up was doing a certain amount of work and so a certain amount of expense was being undertaken before Justice Goddard was appointed and was able to, if you like, reset the inquiry. It was reset as a statutory inquiry and started its work in April.

If you are saying to me, “Would you have preferred it to have been operating from day one, fully?” Of course, but I think what is important for the public is that the inquiry has been established and it is going to do its work. I have said before, myself, that I think that what people have seen so far may only be the tip of the iceberg of this issue. As you know, Justice Goddard has herself put a figure on the number of children who she feels may have been subject to abuse in the United Kingdom, which I think is a figure that will have shocked people. The inquiry is very important and that is why I set it up.

Q84 Mr Winnick: Of course Mr Loughton is a former Minister for Children, as you well know. Can we work on the assumption, Home Secretary, that whatever information or documents that the

inquiry requires will be given, that there will not be any question that certain documents are so restricted they will not be available to Justice Goddard and her colleagues?

Mrs May: As I indicated in response to Mr Loughton, no exemptions have been set on the material that will be made available to the Justice Goddard inquiry.

Q85 Mr Winnick: The length of the inquiry is, of course, a matter for the judge to decide; we know that. Is there any indication how long it is likely to take?

Mrs May: I think Justice Goddard herself has indicated—

Mr Winnick: About five years.

Mrs May: —about five years. She has also indicated, as I understand it, that she would be looking to give regular reports—certainly to give annual reports—of the work of the inquiry, so that it does not just go away and come at the end of a period of time but that people are aware, and are made aware, of the work that it is doing on a more regular basis.

Q86 Mr Winnick: It may have occurred since and I have not noticed it, but on the basis that everything should be in the public domain, one would assume that the salary paid to Justice Goddard will be. Is it in the public domain?

Mrs May: It is.

Mr Winnick: Perhaps you could just indicate what it is. If you need a note—

Mrs May: It is in the public domain and it is—

Mr Winnick: —we can wait for that.

Mrs May: If you just bear with me, I do not want to quote a figure and get that figure wrong so I will just look for the piece of paper on which I have it. Thank you.

Mr Winnick: That is what he is here for.

Mrs May: She is to receive a salary of £360,000, together with other allowances, and she has four return flights from the United Kingdom to New Zealand per year for her and her husband.

Mr Winnick: Thank you very much. Is there anyone else? Since there are no further questions on that subject we are going on to the last topic, Home Secretary: modern slavery. Anna Turley has a series of questions.

Q87 Anna Turley: Thank you, Chair. I wonder, Home Secretary, if you could update us on the work of the Independent Anti-Slavery Commissioner. We are expecting a report, is that right?

Mrs May: Yes. Obviously he is still at this stage the acting commissioner because a permanent appointment has yet to be made. I am consulting with the devolved Administrations on that and we would hope to be able to confirm a permanent appointment soon. I saw him last week, he is in the process of developing his strategy for the future and the report he is going to give. I would say he has already been having an impact in the way he has been working with law enforcement agencies, in particular, and talking to them about how they can better deal with

these cases, better identify cases of modern slavery and ensure that they are taken up and worked on in such a way that we see victims actually willing and able to come forward and give evidence.

Q88 Anna Turley: Obviously that is one of the most important points in this area: how do you reach those most vulnerable? That is a challenge to a lot of our agencies, in particular. Is there anything else you could say on that, what his approach has been and how he intends to reach out to the most vulnerable?

Mrs May: The important thing about Kevin Hyland is, of course, that he has done this himself in his role in the Metropolitan Police Service, where he ran the anti-trafficking unit. He is very clear that it is important that the victim is at the heart of the approach that is taken, because it is only if the victim is willing to come forward and give evidence that it is possible to put the case together to catch the perpetrators. One of the issues he has been particularly looking at is how police forces approach victims and how they work with victims.

Q89 Anna Turley: After that, once they have hopefully been through the criminal justice system, what kind of support do you think he is looking at? Is it ongoing support, in terms of housing and all the other needs that people have, to support them after the trauma?

Mrs May: There is, of course, work that the Home Office is doing on that. Having had the review of the National Referral Mechanism, we are looking at that whole question about the ongoing support. There is work that the Salvation Army is doing as the initial provider of support for the appointed period for victims of modern slavery, and we are also looking at how they are working with other agencies to ensure that there is a continuity there and that people are supported.

Q90 Anna Turley: Thank you. My last question is: do we know when his first report to Parliament might be?

Mrs May: I am afraid I do not think I have a date for that. He has to produce a strategic plan. The earliest opportunity for him to report is actually next year because it has to be against the strategic plan. So he has to produce the strategic plan and then the annual report after that.

Anna Turley: Thank you.

Q91 Mr Burrowes: With the work on the Modern Slavery Act, obviously the aim is to secure more convictions. When will the implementation take place in relation to primary clause 1 and 2, in particular, to then see the fruit of all our labours?

Mrs May: We are looking to bring in some aspects of this in October—I am just checking which those will be—and some others might be subsequent to that. I think the best thing is if I can write to the Committee with when we are expecting to be able to introduce the various aspects.

Q92 Mr Burrowes: That would be very helpful. Anti-Slavery Day and Anti-Trafficking Day will be around that time as well, will there be an opportunity then also to hear from the acting commissioner, as well as from the Government, in terms of progress?

Mrs May: It is not only up to me; he is an independent commissioner, I would point out. When he reports and any presentations he makes, or anything like this, is not entirely a matter for the Home Office. He is independent.

Mr Burrowes: Absolutely. That was crystallised in the Bill. There is an annual reporting mechanism to Parliament about the cross-Government work in relation to—

Mrs May: Yes. As I indicated, he has to produce his strategic plan and then report against his strategic plan.

Q93 Mr Burrowes: In terms of the transparency of supply chains, what is the progress in relation to ensuring that is having an effect?

Mrs May: We consulted on that, in terms of what to do. We are looking at the results of the consultation and we will bring forward proposals resulting from that consultation in due course.

Mr Winnick: This is the appropriate moment, Home Secretary, to thank you for coming along for the first session that you have attended in the new Parliament. We are grateful for your answers. There are certain aspects that, no doubt, you are going to pursue accordingly. I am sure, on behalf of the Chair and other members of the Committee, we were very pleased that you were able to come today. Thank you very much.