



Home Affairs Committee

Oral evidence: The work of the Home Office, HC 300

Tuesday 12 April 2016

Ordered by the House of Commons to be published on 12 April 2016

[Watch the meeting](#)

Members present: Keith Vaz (Chair); Mr David Burrowes, Nusrat Ghani, Mr Ranil Jayawardena, Tim Loughton, Stuart C. McDonald, Naz Shah, Mr David Winnick.

Questions 99 - 168

Examination of Witness

Witnesses: **Oliver Robbins**, Second Permanent Secretary, Home Office, and **Mark Thomson**, Director General, HM Passport Office, gave evidence.

Q99 Chair: Good afternoon, Mr Thomson and Mr Robbins. Sorry to keep you waiting. We were discussing the important issue of diversity as part of our other inquiry. It is very good to see you both. Your first appearance before the Home Affairs Select Committee. We hope very much that this is the first of many. Mr Robbins, can I just ask you: why is there a need for a Second Permanent Secretary at the Home Office? What is wrong with the First Permanent Secretary?

Oliver Robbins: Thank you very much, Chairman, and very good to be here. There is nothing wrong with the First Permanent Secretary but the reason for creating my role was the Home Office, as you will know, has organised itself for the last few years in terms of the three big systems it tries to supervise and to run and, of course, the border and immigration system is one of those where we have many of the direct levers and operations within the Home Office. My role was created to give that greater coherence and oversight. There is no puzzle about it. I work for Mark but it creates an opportunity to make sure that the system is as coherent as possible.

Q100 Chair: You deal with quite a lot of immigration issues. Is that your main remit, immigration?

Oliver Robbins: Yes. My role has three functions—very briefly, if I may. I am the leader of the borders and immigration system, so that means I work with Mark and the other operational DGs and—

Chair: Sarah Rapson and—

Oliver Robbins: Mandie Campbell and also Charles Montgomery, to try to make sure that the system is greater than the sum of its parts operationally. I am the Home Secretary's adviser on border and immigration policy and strategy but then I am also Mark's deputy, so I try to understand the rest of the office and support it.

Q101 Chair: Yes. Some of our questions will range over all these issues. Mr Thomson, we will ask you specific questions about the Passport Office. If I could start with a question on budgets, Mr Robbins, because you know about these things. When Sir Charles Montgomery came before this Committee in December last year, we asked him if he was facing cuts to his budget and he said he had not been told what his budget is. Has he now been told what his budget is for this year?

Oliver Robbins: The Home Office made a series of proposals to the Treasury in the spending review, which were—

Chair: No, no, I understand all that, we all know about process. Has Sir Charles Montgomery been told what his budget is for this year?

Oliver Robbins: We know what funds the Border Force needs in order to deliver the plan for this year and Charles has them.

Chair: Sir Charles Montgomery has been told what his budget is.

Oliver Robbins: The nature with what we have to do—

Chair: It is either yes or no because what he said to this Committee is that, "I would expect to know my budget before the start of the business year." Does he now know what his budget is for this year?

Oliver Robbins: Ever since the settlement with the Treasury we have had good amounts of certainty about what numbers are we are going to be working to.

Q102 Chair: We don't need to know that. I am asking you a specific question. I know this is your first appearance before this Select Committee but we prefer to have straightforward answers to our questions. Does he know what his budget is?

Oliver Robbins: I understand that, Chairman. All I am trying to say is that it is—

Q103 Chair: Yes, but does the head of the Border Force know what his budget is, as he told the Committee that he would know before the start of the business year? Does he have that figure? It is either a yes or a no.

Oliver Robbins: The Border Force is trying to manage a whole series of uncertainties about the way in which the Border—

Q104 Chair: No, Mr Robbins, this is very unsatisfactory. I am surprised that you cannot answer a question about whether or not someone who is reporting to you knows what their budget is because my next letter will be to Sir Charles Montgomery and we will ask him

to appear before us next week, if necessary. This is a very serious matter. This is a Select Committee of the House. Our duty is to scrutinise the Home Office. You are the Second Permanent Secretary. You have told us what your remit is. Does he now know what his budget is? Has somebody told him?

Oliver Robbins: The Home Secretary has written to Mr Burnham to answer his questions about this.

Q105 Chair: No, I am not asking about Mr Burnham. I am asking about the Select Committee. It has got nothing to do with Mr Burnham. I don't think you understand the role of a Select Committee. We are asking you specifically on an issue that has been raised by this Committee with Sir Charles Montgomery. Does Sir Charles Montgomery know what his budget is? It is either a yes or a no, Mr Robbins.

Oliver Robbins: I am afraid it is not—

Chair: If you don't answer the question, we might hold you in contempt.

Oliver Robbins: I am afraid it is not easy to answer it in a simple yes or no, Mr Chairman. That is all I am prepared to say.

Chair: He does not know.

Oliver Robbins: He has certainty about the things that we have known for months the Border Force needs to do this year.

Chair: That is very unsatisfactory, Mr Robbins. Not only will we be writing to Sir Charles Montgomery, but we will be writing to the Cabinet Secretary because if Second Permanent Secretaries come before this Committee they should know an answer to the question whether or not someone directly below them knows what their budget is or not. It is extremely unsatisfactory.

Q106 Mr David Winnick: Would Mr Robbins be in a position, Chair, to let us know by the end of the day? Once he leaves the room after giving evidence, will he be in a position to let you know by the end of parliamentary day the answer to the question?

Oliver Robbins: I am sorry, Mr Chairman. I am sorry if I am not answering satisfactorily. I just don't—

Chair: It is totally unsatisfactory—you have been asked several times because we have put this to Sir Charles Montgomery and he said he expected to know before the start of the business year. This is in evidence to this Committee. We have not put you on oath, which we could do and that would be a very serious case of misleading this Committee if you did not answer the questions. We will expect the answer to this question by the end of today. Do you understand that?

Oliver Robbins: I understand—

Chair: If it is not with us, we will expect you back before this Committee next week. This Committee requires answers to its questions. This is not about Mr Burnham. We are not interested in Mr Burnham. We are interested in what the budget of this department is because that is our job. Do you understand that?

Oliver Robbins: I understand that, Chairman. The Home Office budget is published. We do not normally reveal numbers below that level and—

Q107 Chair: I am putting to you something that Sir Charles has put to this Committee when we have asked him questions and he has answered it in a much more open way. I am sure if I ask Mr Thomson what his budget is he will tell us what his budget is. Please, let us know by the end of today. Do you understand that?

Oliver Robbins: I understand what you are saying, Chairman, yes.

Chair: Thank you very much.

Q108 Mr David Winnick: How will you communicate with the Chair, one way or the other, by the end of the day, Mr Robbins?

Oliver Robbins: I don't know the answer to that at the moment, Mr Winnick—sorry.

Q109 Chair: I suggest you send me an email by 6 o'clock, otherwise we would expect to see you back next week. Let us go to English language testing. You are in charge of the Home Office in respect of immigration matters. Have you seen the judgment or have you been notified of the judgment of Mr Justice McCloskey in respect of the case that was before him?

Oliver Robbins: I have.

Chair: You know that the judge was extremely critical of the way in which the Home Office has dealt with this matter. I know you are considering an appeal; that is not what I am asking. I am asking whether you are aware of what the judge said.

Oliver Robbins: I am aware, yes.

Q110 Chair: We know that 33,725 tests were declared invalid, we know that 22,694 tests were declared questionable but can you tell the Committee how many tests conducted by ETS were valid?

Oliver Robbins: I don't know the answer to that question, I am afraid.

Q111 Chair: Have you asked Sarah Rapson or Mick Wells? Have you asked them how many of these tests conducted by ETS were valid?

Oliver Robbins: I don't know the proportion that were valid I am afraid, no.

Chair: No, have you asked them?

Oliver Robbins: I have not, no.

Q112 Chair: No, because that seems to be a perfectly proper question to ask if you are the Second Permanent Secretary of the Home Office—whether you know the number of people who have been told their tests were invalid. It is a huge number. This Committee was completely unaware that it was as many as 56,000, but we have received representations from

the NUS, various other organisations and Members of Parliament. Mr McDonald I know has been tabling parliamentary questions on this. Will you write to us by next week and tell us exactly how many tests are valid in respect of ETS?

Oliver Robbins: I will certainly try to do that, yes. I don't know the answer myself right now.

Q113 Chair: Have you found out who was responsible for signing this contract with ETS that has resulted in so many people having their tests invalidated? Do you know which officer was responsible?

Oliver Robbins: My understanding, Mr Chairman, is that the Home Office did not contract with ETS but ETS was provided with a licence. It is the individual institutions that then use the services of ETS and the individuals concerned.

Q114 Chair: Do you know how many fees were paid by students who, in all innocence, went forward and had their tests?

Oliver Robbins: I don't.

Q115 Chair: No. Will you write to us with that information, please? We were told in evidence sent to this Committee in an email that Rebecca Collins was the senior official responsible for deciding on this agreement and giving this licence. The judge said in his judgment that they had no qualifications or expertise to deal with these matters. You must have been very disappointed to hear that or were you pleased with the judgment?

Oliver Robbins: Chairman, we were not pleased with the judgment. We don't agree with it, as you know—well, not with quite a bit of it. As you have remarked, we intend to appeal it. The comments about Ms Collins, which I am aware of, again, we think that it is based on a misunderstanding of her role and that is one of the issues we will be going back on.

Chair: You cannot appeal on Ms Collins's role because that is not a point of law of course.

Oliver Robbins: No.

Q116 Chair: You can only appeal on a point of law. In respect of the people who have written to this Committee and the National Union of Students who have sent us some details, they have informed us that of the 56,000 people, 28,297 have had a refusal, curtailment or removal decision being made in respect of their cases. They have been subjected to 3,600 enforcement visits and 1,400 individuals have been served with removal notices and detained. These are huge figures. Who in the Home Office is co-ordinating this particular issue?

Oliver Robbins: Mike Wells, who is the Chief Operating Officer of UK Visas and Immigration, has been co-ordinating it since the "Panorama" programme, Mr Chairman.

Chair: Presumably the Home Office accepts and believes in the rule of law.

Oliver Robbins: Indeed.

Q117 Chair: We have a judgment that is against the Home Office at the moment. We also have people who have written in to the NUS and other organisations saying that they sat the test, they can speak English but they have been refused their certificates and refused the right to stay here because they sat at a test centre where all the examinations were invalidated. Is it a proper course of action when people sit tests and pay fees that all tests are suddenly suspended and there are no people who sat a test at a particular centre who have been regarded as being receiving a valid test?

Oliver Robbins: If I may, just one thing about your question I cannot agree with is that the judgment is not against us technically. It says that the—

Q118 Chair: How can you appeal then?

Oliver Robbins: Because in a very important way the judgment says that the evidence that the Home Secretary has adduced is—although the president of the tribunal is not terribly happy with it, he accepts that there is a presumption on the individual claimants to prove their innocence and so—

Q119 Chair: Okay. How do you allow them to prove their innocence? That is the point, is it not? The point for the people who have written to us—and indeed the journalist in the “Panorama” programme that you are relying on so totally in respect of your case—is that among the 56,000 people who sat these tests, there are innocent people who, in all innocence, went to a test centre, sat their tests but have been refused the right to remain in this country. That is why I asked whether you believed in the rule of law or fairness.

Oliver Robbins: Yes.

Q120 Chair: Why have they not been allowed to prove their innocence? Why have they not been allowed to tell the Home Office that they can speak English and that they sat this test?

Oliver Robbins: To start with, all of those in the category, the 22,000 you referred to that have questionable results, we have offered a process to either re-take the test and sit an interview with the Home Office or to withdraw themselves from it. That is a very substantial proportion where there was some uncertainty about the invalidity of their certificate where the Home Office is offering people an opportunity to demonstrate.

Q121 Chair: I am afraid that is not correct. In the answer that the Minister sent to me, he does not say that the 22,694 people had been allowed to re-sit their test. That is not correct because if that was the case then you would be looking at those that had been declared invalid as well and allowing them the opportunity. Is it not the case that you are relying on a parent company, ETS, whose subsidiary ran these tests and are currently being investigated by the National Crime Agency? How on earth can you rely on the evidence of a company that is currently under investigation?

Oliver Robbins: Mr Chairman, I don’t think it is sensible for me to try to comment on the criminal side of that, as you will understand—

Q122 Chair: I am not asking you to comment on the criminal side. I am saying, how can the Home Office rely on their evidence because no original re-examination of these cases have taken place by Mr Wells and his officials? You are relying on the evidence that has been given to you by ETS, the very company that the Minister came before the House in June 2014 and said was the subject of criminal investigations. How can the Home Office rely on the evidence presented to it by a company that is under criminal investigation? That is what perturbs this Committee.

Oliver Robbins: I understand that, Chairman. Let me explain. The ETS evidence has not been accepted without validation, so as we have put forward in our evidence to the tribunal that has been independently looked at. But also I would remind you, if I may, that this is not the only judgment based on the ETS evidence that senior judicial figures have handed down. In various others, including the first tier tribunal to this very case, as you will be aware, it was described as extremely rigorous. In the case about St Andrews University where the judge in that case was extremely concerned by the practice in the college and referred to the evidence put forward by the Home Office on the basis of the ETS cases as being—

Q123 Chair: Mr Robbins, we are talking here about innocent people whose whole reputations have been destroyed because the Home Office keeps saying that they took their test illegally and fraudulently and with deception, who are totally innocent. The only reason why you are invalidating and questioning these tests is because ETS has said so. You have not examined these cases. You sent a delegation to New Jersey, as the judge said, that had no one with any experience in voice recognition. That is right, is it not?

Oliver Robbins: It is correct that the voice recognition was done by software, not by a team from the Home Office.

Q124 Chair: By a company that is currently under criminal investigation—that is right, is it not?

Oliver Robbins: As I said, I don't think it is wise for me to comment on criminal investigations.

Q125 Chair: No, but the Minister has commented. Whether you think it is wise or not the Minister has told the Committee they are under investigation and he has told Parliament. I assume you have read his statement, have you?

Oliver Robbins: I have.

Chair: He has told Parliament that and whether or not you can comment on it is a separate matter.

Q126 Stuart C. McDonald: You said that the ETS had used software in order to assess whether or not people had used fraud. From the judgment it seems to me that the Home Office has no idea what software was being used by ETS. Is that correct?

Oliver Robbins: No, I don't think so, Mr McDonald. As the Chairman referred to, we did send a team to New Jersey and speak with ETS and understand the process they had gone through.

Stuart C. McDonald: Okay, I will have to check the judgment again but I was pretty sure that it said that the ETS were simply unwilling for some sort of confidentiality agreement to disclose what software it was using and make up its mind in these cases—but you think I may be wrong about that.

Oliver Robbins: I know that we examined the process ETS have been through. I could not tell you for sure whether we understand the software program used.

Q127 Stuart C. McDonald: How could you possibly assess whether or not the process was rigorous enough without knowing what the software they were using was?

Oliver Robbins: The validation process we went through, including with expertise back in the UK, including the two human-factor checks after the software check, we are convinced was rigorous enough. That has been endorsed by a number of judgments since.

Q128 Stuart C. McDonald: Okay. These two appellants here asked repeatedly of ETS for access to the recordings, which ETS themselves used, to declare their tests fraudulent. They were repeatedly refused access to that. How can they possibly challenge the decision if ETS is not going to give them access to the source material? How is that consistent with the rule of law?

Oliver Robbins: If I may, Mr McDonald, this is exactly the territory of the case and the appeal that we will lodge. The judge has said it is up to those who claim that they did not cheat to prove that they did not.

Q129 Stuart C. McDonald: How can they do that if they do not have the recordings to hand into an expert to look at? These appellants were lucky because they had an in-country right of appeal. The vast majority of people who have been affected by this ruling will have to appeal from hundreds if not thousands of miles away. How can you possibly challenge a spreadsheet from ETS if ETS does not give you access to the recordings and the Home Office does not let you to turn up to the court hearing?

Oliver Robbins: In this case the tribunal did see the claim of the two appellants as having been valid, they did manage to prove that they did not deceive. We dispute that but it shows it is possible.

Q130 Stuart C. McDonald: It shows it is possible for two in-country appellants to go along and speak to certificates and other evidence, but if you are hundreds of miles away that is absolutely impossible.

Moving on, if I may, you said that there was independent scrutiny of what ETS was providing you with but that is not at all apparent from anything in this judgment. What independent scrutiny was the Home Office doing of these bits of paper that were coming from ETS?

Oliver Robbins: We are in the process of thinking about how we demonstrate that at appeal, so if I may I will not give you an answer to that now, but I am happy to later.

Stuart C. McDonald: Thank you.

Q131 Chair: The Committee will open a formal inquiry into this and we will expect to have better answers than the answers that you have provided today, Mr Robbins, bearing in mind that this has been going on for two years and the fact that 55,000 people have been affected by it. Among the 55,000 people, there are many innocent people who through no fault of their own have had their reputations damaged. Do you understand that?

Oliver Robbins: The ETS case, Chairman, shows widespread, deep and very troublesome deception of the immigration rules. The Home Office is convinced that its response has been both immediate and proportionate to the risks that that has highlighted. We have done a rigorous process of checking it and now we are dealing with each case as it comes along and so far on the whole the judiciary has endorsed that. I welcome your inquiry. It can only bring further light, but I think we start from a good position.

Chair: According to the president of the Immigration Court you do not start from a good position. Judging by the fact that you do not know the answers to how many of the tests were actually valid, you only know the answers to the number of tests that were invalid or questionable, it means you simply do not have that information. I am glad you mentioned that you welcome the inquiry. We will look forward to seeing you again on it.

Q132 Naz Shah: My question is about e-Borders. The NAO reported last December that the Home Office had spent £830 million on the e-Borders programme in the period of 2003 to 2015 but had so far failed to realise the full vision of this project, which also involved a protracted court case. What steps have you taken in protecting the UK's borders to ensure repetition of this huge waste of time and money does not happen again?

Oliver Robbins: Thank you, Ms Shah. We have taken a lot of steps over the last five to 10 years to secure the border, including through implementing many of the original parts of the vision for e-Borders. As the Committee will be aware, there are additional services of the border programme that is now going well and implementing many of the original plans to make sure that the right information is available to Border Force officers at desks and in offices around the country is proceeding very well.

The vision of having advance passenger information available in order to be able to match that to the information that Border Force officers have at desks is going extremely well, with 93% of passengers now providing advance passenger information before their arrival in the UK. I would not say that we come from a position of having had to start again. Many of the bits of the original e-Borders vision, as has been discussed with the PAC, have been implemented. In one very important respect that process did not go well in that one never wants to terminate a contract with a prime supplier, but much of that vision is being implemented and I am pleased to say we are going to be investing in and continuing that over the next few years.

Q133 Naz Shah: It strikes me that you have a bit of a culture going on concerning court cases and judgments in the Home Office. It would appear to me that you have a culture of litigation against you when you should not be in that position in the first place. How much money have we spent on court cases such as these two that we have just talked about?

Oliver Robbins: I am sorry, I don't have that information to hand.

Q134 Naz Shah: Could you get that to us, please?

Oliver Robbins: For these cases, ETS and—

Naz Shah: Yes, these two, for the judgment and what it has cost the public purse in terms of that protracted court case as well.

Oliver Robbins: Of course.

Naz Shah: Thank you.

Q135 Chair: Mr Robbins, I am going to excuse you from this Committee because I think your evidence so far has been unsatisfactory. I am going to give you the opportunity to go back to the Home Office and respond to this Committee by 6 pm. Let us be clear, I am not asking you what the budget of Sir Charles Montgomery is. I am asking you to tell me whether he knows what it is. He has given evidence to this Committee. When members asked him the last time he was here whether or not he knew what his budget was, he said he expected to have that information by the start of the business year, which is 1 April. I would be grateful if you would let me know by 6 pm today whether he knows what it is. That is all this Committee is asking. Mr Burnham is not a member of this Committee so what goes on between him and the Home Secretary is entirely different. Do you understand that?

Oliver Robbins: I do understand that.

Chair: Good. Thank you for coming.

Oliver Robbins: Thank you.

Q136 Chair: Mr Thomson, let us proceed and talk to you about the Passport Office because it is obviously an issue that concerns this Committee. Congratulations on your appointment. How are you finding it?

Mark Thomson: Thank you. I am enjoying my role. I am enjoying leading Her Majesty's Passport Office.

Q137 Chair: Let me ask you specifically about terrorism and the Passport Office and use as an example the case of Siddhartha Dhar, a case that has come before the Committee.

You will know that this particular gentleman was arrested, taken to a police station, into custody and was then released by the police. He went home and, using his passport, he left the country. Since then the Government have introduced—and this Committee welcomes the introduction—an amendment to the Police and Crime Bill that is currently going through Parliament that will mean that people will need to surrender their passports in respect of terrorism cases. In fact, I think it was done today and we welcome this most warmly. Can you tell us the process by which the Passport Office is informed by the police that there is a suspect who might be leaving the country? When are you told and what do you do about it?

Mark Thomson: Could I first of all talk about the public protection remit of HMPO and then I will come back to your specific question?

Chair: No, I would like you to answer the specific question first and then come into the public protection remit. Tell us the practicalities. We are concerned about the number of British citizens who have gone abroad and we want to know that the Passport Office is being informed in a timely way about those who want to go and, in the case that I have mentioned, whether it can be improved. Tell me about the process. We do not need general discussion about the public policy remit. We can see that on the website.

Mark Thomson: The remit of HMPO is to make sure that the passport itself is the most secure document it can possibly be. Informing border officers of people that the crime agencies want to take a careful watch on is not the role of HMPO.

Q138 Chair: No, I understand that but I am talking about a specific case here. If the police and the security services discover that someone is going to go abroad with their British passport and they have been in custody, do they inform the Passport Office? Are you aware of it? I know that you are not responsible for the Border Agency. That is Sir Charles Montgomery. What do you do? You have a list called the stop list. Is that right?

Mark Thomson: Yes.

Q139 Chair: How many people are on that?

Mark Thomson: To answer your question about what would happen in that circumstance, clearly the border would be notified that there is an immediate issue about that person travelling but in terms of HMPO's role we would be looking at entering that detail on to our stop file. The purpose of the stop file is that when we get an application for a new passport we look at all of the detail on there of the number of people, their circumstances, their travel histories, people that might have travel banning orders and all those sorts of things.

Q140 Chair: Sure. Mr Thomson, maybe I am not expressing this clearly.

Mark Thomson: My apologies.

Chair: It is okay. It may be me. In this particular case a gentleman was taken to a custody suite and he was asked to let his passport be sent to the police. The police allowed him to go home with the passport and then wrote to him and asked him to give up his passport. Would the Passport Office be informed by the police or the security services where they are worried about someone leaving the country? Would you be informed at all about this?

Mark Thomson: Mr Chairman, can I check for you? I do not want to mislead the Committee by speculating on what happens. I know what happens—

Q141 Chair: Isn't this a central issue here when we are dealing with counterterrorism—knowing where a British passport is?

Mark Thomson: Indeed, and I am very clear that in terms of HMPO's role here I need to make sure that we—

Q142 Chair: Would you write to us and set out exactly the process when someone is in a custody suite, like Siddhartha Dhar, and he is allowed to go home with his passport and then he goes abroad? When are you notified that he still has his passport? When does he go on the stop list?

Mark Thomson: I would be very happy to write to you.

Q143 Chair: Excellent, because that procedure is very important to us.

Mark Thomson: It may be that I need to consult with some colleagues as well but I will make sure we come back to you.

Q144 Chair: Yes, but specifically this Committee wants to know what the Passport Office does.

Mark Thomson: I understand.

Q145 Chair: How many people are on the stop list?

Mark Thomson: I do not have the figure to hand, I am afraid, but again perhaps in coming back to you with the details of that circumstance I will confirm to you the number of people on the stop file.

Q146 Chair: How many people were found with fake passports last year?

Mark Thomson: Again, that is not a number that I have to hand. To reassure the Committee, we do take our role in public protection extremely seriously.

Q147 Chair: I am sure you do. Would you write to us and tell us how many fake British passports were reported to you?

Mark Thomson: Yes, I will.

Q148 Chair: Who would do the reporting of fake British passports?

Mark Thomson: Who would do the reporting?

Chair: Yes. Who would ring up the Passport Office in Peterborough and say, “I have discovered a fake British passport”?

Mark Thomson: We rely on the public to spot if they have themselves lost or had their passport stolen. We have just recently introduced an online facility for customers to be able to do that, so it is very quick. It is important that we cancel the passport extremely quickly. We endeavour to do that within a four-hour time window. As individuals, there is a responsibility on us to do that. Of course, if someone happens to find a passport in the street they will hand that into the police who will then pass on the information to us.

Q149 Chair: Given the closure of passport offices—I have to declare an interest here—in Leicester, Blackburn, Bristol, Crawley and Sheffield, and the fact that face-to-face interviews will cease in Aberystwyth, Carlisle, Hull, Norwich and Yeovil, which seems like an awful lot of places, where will people go for these face-to-face interviews now that all these offices are closing?

Mark Thomson: Mr Chairman, could I explain why we are closing the offices?

Chair: Of course.

Mark Thomson: I took up my role and looked at the capacity of various things we had across the operation. I found that the capability and capacity we had to do interviews for first-time adults was twice what we need. I had the capacity to interview 500,000 individuals a year. At a peak period, which is where we are at this point in the 10-year cycle, I only need to interview about 250,000, hence the reason for the requirement to close some of the offices. In terms of where customers would now go, there are still 47 locations around the country where they can either physically go for that interview or we are also utilising remote video technology as a way of not only having fewer offices but of customers being able to go somewhere that is closer to home.

Q150 Chair: Have you had many representations from the Public and Commercial Services Union about the loss of jobs or are you going to relocate people?

Mark Thomson: If I could take that question in reverse, we will be endeavouring to make sure that we can help people find another role, hopefully in government, and avoid any redundancies. That is our aim. I am actively talking to the union. In fact, I saw them yesterday to again talk about how we do these things. It is really important to me, Mr Chairman, that we do the right thing for our customers but also do the right thing for our employees.

Q151 Chair: Just ending where I started with questions on counterterrorism, the Royal Prerogative was used by the Home Secretary on 20 occasions in order to temporarily seize the passports of those suspected of travelling to engage in terrorism. How are you involved and how is your organisation involved in this issue?

Mark Thomson: I am not directly involved, Mr Chairman. My contribution is the production of a very secure passport. The use of the Royal Prerogative is a decision that is not made in HMPO.

Q152 Chair: Since the legislation was introduced in respect of landlords having to check passports of individuals, has the Passport Office been contacted by anyone, any landlord or any organisation, about the validity of these passports? Of course, the fake passports that are produced are pretty impressive. There is a whole industry around producing fake British passports.

Mark Thomson: I am very confident that a fake passport could not be used to cross the border but of course as a means of identity it is sometimes difficult for, say, a landlord to identify whether something is a proper document or not.

Q153 Stuart C. McDonald: The systems that the Passport Office had in place at the start of 2014 to project demand obviously were not working very well. What changes have been made since then to increase the accuracy and resilience of these systems?

Mark Thomson: Thank you for the question, Mr McDonald. I have basically done three things. First, much better and rigorous forecasting where we look at various trends in a much greater pool of information. The other discipline that I have introduced into the running of HMPO is that we do planning much more in advance than might have been the case before. The third issue is making sure that we have the right contingencies available to us for circumstances where perhaps forecasting might not be as accurate as we might hope. Having said that, I am pleased to report that I am running a business that is pretty close to the forecasts that we have produced.

Q154 Stuart C. McDonald: In terms of UK citizens who are currently living overseas, in our understanding they are having to wait up to 16 weeks for a passport. Is that something that you regard as acceptable? What is the target in that area?

Mark Thomson: I am pleased to be able to tell the Committee that as we sit here today, 99.97% of customers are getting their passports well within service standards. That is a very good position to be in. However, I do recognise that there are areas where customers might struggle, for example overseas application. The things that come into my inbox are often when something is caught in a fraud investigation or perhaps an overseas child application. The reasons for that are several. First of all, sometimes the documentation in some of the countries that are under question needs more thorough investigation. Sometimes it is difficult to prove whether a child is the child of the parent in question. Sometimes that requires DNA testing. This, unfortunately, can take a long time.

What I would like to reassure you about, though, is that in the round, even international customers these days are getting a much better service. If I could give you a couple of reference statistics, Mr Chairman, HMPO's part of the end to end process in 2014 for domestic applications was taking nine days. It now takes three. For international applications, it was taking 19. It now takes four. We are providing a good service. For someone who is stuck, that individual, I do recognise that is a tricky thing to do.

There is one more aspect I might like to mention if that is okay, Mr Chairman. I have also looked at the process cycle of these things, recognising that there are certain parts of the country and styles of application where we are pretty sure that we are going to have to go to a DNA test in the end. Why not do that quicker? Instead of doing the processes in what I call a sequence, do them in parallel. We are trying to move to DNA testing and request as soon as we possibly can, to try to shorten process cycles.

Stuart C. McDonald: Thank you.

Q155 Mr David Burrowes: In terms of staffing, the NAO reported the use of temporary staff and the capacity to formalise arrangements for sharing staff between the Passport Office and the Home Office. Where do you think things have got to?

Mark Thomson: Sorry, could you repeat the final—

Q156 Mr David Burrowes: In relation to sharing staff between the Passport Office and the Home Office and whether it is not going to be taken up by more temporary agency staff.

Mark Thomson: First and foremost, I can report to the Committee that we are not borrowing people; we are loaning people to colleagues in the Home Office. Sarah Rapson in UKVI benefited from the loan of 284 HMPO employees during our quiet period towards the end of last year. November/December is typically a quieter time for applications, pre-Christmas. That is a good thing for us to be doing. Clearly HMPO is now part of the Home

Office and we can work more closely with colleagues to make sure that we share resource. It is good for efficiency but I also think it is good for our employees because they get to experience other things, they get to build new skill sets and so on. I have been to see the people in Liverpool and Durham who have conducted this and they did enjoy the experience.

Q157 Mr David Burrowes: The National Audit Office has also been on your case around digital services. Obviously other Committees have looked at big projects and the whole digital agenda and the risks to that. What are the biggest risks you foresee in relation to the digital agenda for the Passport Office?

Mark Thomson: First and foremost, I would like to say that in my ambition to have a world class customer experience in HMPO, digital technology is at the heart of some of those plans. We have just recently introduced two quite important developments for our customers. First, they can now book online for an appointment rather than having to ring up. Why is that a good thing? You can do that at any time that you require and also see for yourself which slots suit you, rather than waiting for someone on the phone.

We have also started to put out, into what is known as public beta and private beta testing, online renewal of your passport. This is something we are very proud of because in eight minutes you can do the end-to-end process, including what is one of the tricky things for customers applying for a passport, which is getting your photograph right. As part of this process you can ask a friend to take a picture of you on your smartphone, upload that in real time as part of the process and the system will help advise you on getting your picture right. It will identify that you might be smiling when that is not allowed and give proper advice. These things are very positive examples of making the service a better thing for customers.

To your point on risks, the most important thing to do here is not use unproven technology and to roll out in a proper, controlled manner. For example, while I might sound like I am raving about the online renewal process, it is a couple of thousand customers who have done that. The reason it is so small is we have made sure that we have done a very small control test, inviting a certain number of customers to test the system and help us get it right before we roll out more widely.

Q158 Chair: Mr Thomson, what you inherited was a pretty dreadful organisation in the sense of not the people who work there but the backlog that had emerged. As you know, this Committee conducted emergency hearings on this and the Director General, your predecessor, left office and you took over. Were there any lessons to be learned from what happened with that huge backlog in the summer of 2014?

Mark Thomson: Yes. I would refer back to the answer I gave to Mr McDonald: better forecasting, proper forecasting, closer control and looking at the right numbers, planning much better in advance and making sure that the right contingencies are in place. Mr Chairman, you asked me about the closures of the offices. One of the things I ensured that we

did, just in case we had not planned properly, in case something might have gone wrong, was ask what we might have in place to make sure we can still handle demand.

Q159 Chair: Ministers at the time and others did not accept this, but the Committee put to them in our report that the biggest thing was the change of application process that required those living abroad to have to apply here for a new passport. There are how many British citizens living abroad? I cannot remember. I know there are 1 million in Spain.

Mark Thomson: Yes.

Q160 Chair: Do you know how many British passport holders are abroad?

Mark Thomson: No, I do not. Several million.

Q161 Chair: I am sure we can Google it. When they want to renew they can do it online but they have to send the old one in, do they not?

Mark Thomson: Yes.

Q162 Chair: Should that not be done at post? I am not asking you to go back and change the whole system again. Are there some that may require this to happen, which will ease the pressure on Peterborough and other areas? Is it something you are looking at?

Mark Thomson: I think the reverse applies, Mr Chairman, because my bigger numbers of people are in the UK. I have been to Mumbai and New Delhi to see what are very small operations overseas, and the scale of it concerns me. I have a small number of people and potentially single points of failure. I would like to bring as much as possible of that customer demand into the UK. Why is that? If I take 20 people away from the several hundred in Durham to blitz something that might be a problem on the international stage, it does not really impact on the core operation that much. The direction of travel, Mr Chairman, is the reverse.

What I want to also do, though, to play back to Mr Burrowes's question on digital, is to look at how much I can get online in terms of the international process. The next rollout of the online renewal process, I will be endeavouring to try to make that happen for overseas customers. Then there is no need for post and things going backwards and forwards.

Q163 Chair: Yes. The process of sending texts to people whose passports are about to expire is extremely useful. I had that in relation to my children, who got their passports when they were very young, and that kind of reminder means you will not have the bulk of applications being made before people go on holiday. There will always be a bulk in the summer, there is no question about that.

Mark Thomson: Yes, indeed.

Chair: At least it spreads it out over the year, does it not?

Mark Thomson: I noted that as one of the recommendations in the HASC report after 2014 and we have introduced that. In the last couple of months we have sent about 155,000 text reminders to customers with looming renewal dates and 47% have reacted and renewed their passport so it is an effective way of not necessarily shifting demand but, for me, it is a good thing for customer service. Often why people are having to come up and use premium services is they have simply forgotten that while their passport might be okay, their child's passport perhaps has run out.

Q164 Chair: Sure. We are coming to the end now. In your other capacity, you are the Registrar General.

Mark Thomson: Yes, I am.

Q165 Chair: Is that the Registrar General of marriages?

Mark Thomson: It is for the general register, so that is births, deaths and marriages.

Chair: Right. The Committee published a report, as you know, on sham marriages.

Mark Thomson: Yes.

Q166 Chair: We were very concerned that individual registrars were not given the power to cancel sham marriages. They had to merely defer and wait for the Home Office to become involved. Is there an increase in the number of sham marriages?

Mark Thomson: I am not sure, Mr Chairman. I would need to come back to you. I would reassure you, though, that this is an area that we have under very close scrutiny because it is very important.

Q167 Chair: When you meet your fellow registrars, as I assume you do at the annual conference of registrars or regional registrar conferences, do they raise this issue of sham marriages? Is it something that is uppermost in your mind and a concern?

Mark Thomson: It is, and also it is uppermost in their minds. Because they are on the ground, they have the ability to look people in the eye, see what is going on and judge with good effect whether they think there is something wrong there. We want to use that on-the-ground capability going forward.

Q168 Chair: Excellent. If there are no further questions, can I thank you very much for coming in and can I, on behalf of this Committee, wish you well in your post?

Mark Thomson: Thank you.

Chair: We hope not to see you too often talking about these issues but we would be grateful if you would let us have what you promised in writing, especially in regard to our counterterrorism inquiry.

Mark Thomson: Indeed.

Chair: How is the British passport seized and how are you notified that someone is about to travel abroad, using the Siddhartha Dhar example as a practical example of how we can improve matters?

Mark Thomson: Yes. I will make sure we get on to that straight away.

Chair: Thank you very much for coming today.