

## Home Affairs Committee

Oral evidence: [The work of the Home Secretary](#), HC 561

Wednesday 15 July 2020

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Members present: Yvette Cooper (Chair); Ms Diane Abbott; Ruth Edwards; Simon Fell; Andrew Gwynne; Adam Holloway; Dame Diana Johnson; Tim Loughton; Stuart C. McDonald.

Questions 1-87

Witnesses

I: Rt Hon Priti Patel MP, Home Secretary, Matthew Rycroft CBE, Permanent Secretary, Home Office, and Shona Dunn, Second Permanent Secretary, Home Office.



## Examination of witnesses

Witnesses: Priti Patel MP, Matthew Rycroft and Shona Dunn.

Q1 **Chair:** Welcome to this evidence session of the Home Affairs Select Committee. We are hearing evidence today from the Home Secretary on the work of the Home Office. We also have, joining the Home Secretary, Matthew Rycroft, the permanent secretary, and Shona Dunn, the second permanent secretary. Welcome to you. Home Secretary, may I begin by passing on our thanks to all your staff in the Home Office, to all the agencies that work with the Home Office and to police forces across the country for all the work that they have all been doing at this extremely challenging time?

Welcome to the evidence session. We will cover a series of different issues today, but will start with the arrangements for quarantine and for people's holidays this summer. Can you tell us how many people you estimate are quarantining at the moment or at any one time?

**Priti Patel:** That is not information that I have at hand, because it is information that would be split across a range of Government Departments, including the Department of Health, because first and foremost these—

**Chair:** Sorry, I just meant people at the border. I just meant people quarantining, not self-isolating because of their health condition—just people who have arrived at the border and who need to quarantine because of the country that they have come from. What is your estimate of how many people that is?

**Priti Patel:** Chair, that would be subject to data that I would need, effectively, to get from the locator form system that has been constructed, with specific references to quarantine. I don't have that data at hand. I am happy to provide that to you.

I do know, in terms of border measures and levels of compliance—compliance has been incredibly high; I do know that. In terms of spot checks that were undertaken as well, between 6 June and 12 July, there were 383,000 checks, and the compliance rate has been 99.9%. In terms of compliance, because that is important, because these measures are obviously meant to prevent people from coming in with covid, there have been three FPNs that have been issued and one has been taken to a fine level as well. But I would be very happy to get you that detailed information, because obviously that information changes on a daily basis.

Q2 **Chair:** That would be really helpful. Of those 383,000 checks, how many are checks at the border and how many are checks at people's residence?

**Priti Patel:** The majority of them will be checks at the border of people who have come in, obviously. We have a piece of technology called the



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locator form, whereby people have to provide compliance information, all their travel details, and things of that nature. I can break that down further, because, as you will know, spot checks are not done by Border Force. They are done by Public Health England. Public Health England is heavily involved in that, so we could get you a breakdown of the percentages as to where those spot checks are undertaken.

- Q3 **Chair:** It would be really helpful to know just how many of them are actually done at people's residences, because obviously spot checks at the border are just checks on whether people are telling you that they are going to comply at the beginning. They do not tell you whether people have actually complied a week later, or whether they are in fact in quarantine a week later.

**Priti Patel:** That is right. That is predominantly led by Public Health England, so that is separate data to the Home Office and Border Force data. We can absolutely get that for you. Do not forget that the point about information at the border is that that information comes through the locator form, which the Home Office and Border Force are responsible for, and that that has the granular detail that is then sent to Public Health England, i.e. the actual addresses and residences that people are staying at.

- Q4 **Chair:** Do you have a ballpark figure for the proportion of those 383,000 checks that are taking place in the community? Is it a third of them, a quarter of them, or 10% of them?

**Priti Patel:** Sorry, I missed the first part of your question. I did not hear.

**Chair:** The proportion of those spot checks that are taking place in the community—do you have a ballpark figure? Is it 10% of them, 20% or 30%?

**Priti Patel:** I do not have that generic figure. I do not know if Shona does, because—again—this is Public Health England information and not just Border Force information.

**Shona Dunn:** Thank you, Home Secretary, and thank you, Chair. The information that I have in front of me, which I will happily confirm, is that PHE is doing about a 20% follow-up for those people who come into the country. That is information that I have as of last week; I have not got an absolute number, but I am more than happy to get specific data off PHE after this session, or to ask PHE to send it to you, Chair. But it is around about 20%.

- Q5 **Chair:** So, that is, what, 60,000 checks being done in the community over a five-week period, or something like that?

**Shona Dunn:** As I say, Chair, to go beyond that, I think that we would need to get more specific detail from PHE, and we will give you a follow-up after this session.

- Q6 **Chair:** That would be really helpful. May I ask you about the quarantine arrangements? The Joint Biosecurity Centre, which you have obviously



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set up, has estimated that prevalence in Spain is 330 cases per 100,000, which is already nearly twice the level in the UK. You also have cases rising quite sharply around Barcelona. If those cases keep rising, what is the threshold at which you would put Spain back on the quarantine list?

**Priti Patel:** I would not be involved in setting a threshold or putting Spain back on the quarantine list. As you will know, Chair, that is a cross-Government decision that would be led by the Department of Health and Public Health England. The data that is provided by the Joint Biosecurity Centre is not in the hands of the Home Office; that is now in the hands of the Department of Health. The Department of Health would look at that data and aggregate it, and it would work with the Department for Transport, which is responsible for all of the engagement with airlines and obviously doing the bilateral discussions with the Foreign Office. They would effectively pull that together and set the criteria—the threshold that you have asked about—as to when, therefore, any measures would be put in place.

Q7 **Chair:** So were you not involved in that at all? Obviously, you announced these arrangements in the first place. Are you and the Home Office not involved in them now?

**Priti Patel:** That is correct. The Joint Biosecurity Centre is not the responsibility of the Home Office. This is now in the hands of the Department of Health, working with Public Health England. We do not have responsibility for determining any thresholds around countries where we need to put in restrictions, or things of that nature; these are cross-Government decisions. In fact, Chair, it is a point that I have emphasised repeatedly, both publicly and in other forums in the House of Commons, that these are cross-Government decisions, and these are public health measures in public health regulations led by the Secretary of State for the Department of Health and Social Care.

Q8 **Chair:** Okay. You have not published the Joint Biosecurity Centre's assessment of prevalence in Portugal. Why not?

**Priti Patel:** That is not for me to publish; that would be very much for other Government Departments, as I have just said. It would be for the Department of Health, with Public Health England, to organise that. That is not—

Q9 **Chair:** But presumably you talk to each other. What is the reason for the Government as a whole for not publishing the Joint Biosecurity Centre's assessment? The published data from other sources—for example, the European Centre for Disease Prevention and Control has a very different ranking of cases that might have higher rates from the one that the Government seems to be using. Surely the Government's assessments from the Joint Biosecurity Centre of different countries and the risk for those different countries ought to be published.

**Priti Patel:** I am sure they will be published in due course. There is a lot of data and Government information that is published day in, day out along with SAGE advice, which has been repeatedly published—SAGE



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papers, numbers and data. So that is very much a decision made in conjunction with, I suspect, Public Health England and the Department of Health. There are mechanisms within Government for how information and data is published, and rightly so. I cannot give you that today; that is not in my remit. But if you would like us to go across Government to find out a schedule of publication, I will get you answers on any specifics that you would like from other Government Departments. We would be more than happy to collate that for you and share that with you.

**Q10 Chair:** That would be immensely helpful. Given that people are booking their holidays at the moment and that the number of cases in Spain seems to be rising, I would have thought that, actually, people would have a right to know whether the Joint Biosecurity Centre's assessment is that they are rising up close to the threshold or that, alternatively, Portugal's cases might be falling down towards the threshold. If people are making big financial decisions about booking holidays, or travel agents are booking things, surely they have a right to know the scientific bases on which you the Government are making such crucial decisions.

**Priti Patel:** Don't forget that a lot of that information is also fed into the Foreign Office, and the Foreign Office changed their travel advice accordingly—rightly so. As I have said, this is cross-Government: it cuts across many aspects of Government Departments. You are right: public health safety is absolutely paramount. That is why a range of measures, since March onwards, have been put in place to protect the British public and public health. That has been at the forefront of everything this Government has done. For travel advice, people go to the usual place, which tends to be the Foreign Office. Of course, there are other areas—obviously through the JBC, and obviously through Public Health England. That information helps to inform the decisions that the Foreign Office takes on travel advice. But let's not forget the engagement with the carriers and travel agencies—that all takes part through the Department for Transport, which is absolutely the right and proper approach. We have always said this; I have now made this point many, many times over recent months. This is cross-cutting across Government, but individual Government Departments have certain responsibilities—whether on data, on carriers, on engagement with other countries, or on travel corridors, which have obviously come together in recent weeks through the Department for Transport. Those Departments take the lead on those particular areas.

**Q11 Chair:** We do expect you, as Government Departments, to talk to each other and to work together. You were obviously the Cabinet Minister who announced these policies in the first place, so we are therefore keen to know your view on them. How many people do you estimate are coming into the country at the moment with coronavirus?

**Priti Patel:** That I don't know. On a daily basis, the number of people coming into the country is approximately 50,000—that is across all modes of transport. I do not have a figure for the number of people coming into the country on a daily basis with coronavirus. That figure is held centrally elsewhere in Government with the Department of Health and Public Health



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England. Don't forget that it does vary on a daily basis. As you have said, people are quarantining. If people are symptomatic, they are self-isolating.

Q12 **Chair:** Look, if the average prevalence for the people coming into the country was similar to that of Spain—Spain will normally be about 40% of the cases coming into the country anyway—you would expect that to be over 100 people a day with coronavirus coming into the country. Is that accurate?

**Priti Patel:** It sounds to me like these are figures that are quite hypothetical. There is no point asking me whether a hypothetical figure is accurate.

Q13 **Chair:** No, actually what I am really keen to know is the Government's estimate. Shona Dunn told us last time in the evidence session that you had never asked for an estimate of how many people might be coming into the country with coronavirus. Is that correct?

**Priti Patel:** That is not correct at all. If you recall the previous Select Committee hearing—the last time I came—I was very clear about the questions that I put forward to SAGE. Chair, you will be aware that a scientific adviser in the Home Office had been delegated by SAGE, because there was so much data and information coming into central Government back in March. The priority back then was to do exactly what we said we would do, which was to protect the NHS and to stop the NHS suffering difficulties. We were asking very clear questions about the number of people who were travelling into the country who could have or did have coronavirus.

Q14 **Chair:** Were you given an estimate then of how many people were coming into the country, or were expected to come into the country, with coronavirus at that time?

**Priti Patel:** The estimate that we had—bear in mind that there was a range of data coming in and it was difficult for the scientific advisers to say that that data was fully reliable—and the figure that I was given, the percentage, was 0.5% of people who were potentially bringing in cases from outside of the UK.

Q15 **Chair:** Okay, we went through this figure at our last evidence session and you said it was 0.5% of people coming into the country. In that evidence session, Shona Dunn then corrected you and said that in fact it was 0.5% of the total number of cases currently in the UK. Can we just clarify? Is it 0.5% of the number of people coming into the country or 0.5% of the number of cases in the UK? They are very different figures.

**Priti Patel:** Sorry, it is cases in the UK.

Q16 **Chair:** Okay, so it is 0.5% of cases in the UK, but, given that we do not know how many cases there were in the UK at that time, I ask you again: did you ever ask for and were you ever given an estimate of the number of people coming into the country with coronavirus?



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**Priti Patel:** As I have already said, it was difficult to get accurate information. I have asked for information—

Q17 **Chair:** I am just asking if you were given estimates.

**Priti Patel:** The estimate that I was given was 0.5% at that time.

Q18 **Chair:** That is not an estimate for the number of people. Did you ever ask for and were you ever given an estimate for the number of people? Was it 1,000 people, 2,000 people?

**Priti Patel:** I have already made it clear. I have asked for it. There are a range of numbers that I was given, but the ultimate number that I was pointed to was 0.5% in terms of the cases in the UK. Let me emphasise again. In fact, our scientific adviser has talked you through this several times in the past. There was a wide range of data coming in, and I was talked through that, as were all Cabinet colleagues at the time. It was not necessarily reliable, primarily because they themselves were having to ask a range of questions about the prevalence in overseas countries. They were aggregating different rates and trying to effectively substantiate through different scientific means the data that they were getting and trying to show consistency in that data.

Q19 **Chair:** I understand that all estimates will have been difficult to make, but I am still trying to clarify. You are now saying that you did ask for an estimate for the number of people coming into the country with coronavirus.

**Priti Patel:** I asked not just for a number but for an approximate percentage.

Q20 **Chair:** In addition to the percentage, did you ask for the number of people?

**Priti Patel:** I asked for numbers and percentages because I wanted to know, as I said last time around, whether we needed to introduce health measures at the border because of the potential threat of a significant number of people coming in. Asking for those numbers was the right thing to do.

Q21 **Chair:** I am pressing this because we will want to quote some of this evidence in our forthcoming report. Can I clarify with Shona Dunn? We raised this with her in the last evidence session. Asked specifically whether an estimate of the number of people coming into the country with coronavirus was produced, Shona Dunn said, "I do not believe that anyone has asked for that number to be pinned down". The Home Secretary says she did ask for that number to be pinned down. Was your previous evidence inaccurate?

**Shona Dunn:** Chair, as the Home Secretary says, she has asked for a whole variety of numbers on many occasions.

Q22 **Chair:** Did she ask for that specific number?



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**Shona Dunn:** She has asked for a variety of numbers and evidence from our chief scientific adviser on a number of occasions to make sure she could pin down the specifics of the position. As Professor Aston has made clear on a number of occasions—

Q23 **Chair:** That is not an answer to my question, is it?

**Shona Dunn:** The most reliable position is the 0.5%.

Q24 **Chair:** I understand your attachment to the 0.5%. I am trying to make sure we are not factually inaccurate when we respond to the things that you have been doing. I am still trying to clarify. You told us that nobody had ever asked for an assessment of the number of people with coronavirus coming into the country during March.

**Shona Dunn:** Chair, as you say, what I said was I was not aware of anyone having asked for a formal assessment. The Home Secretary has said that she has asked for a variety of numbers and I entirely concur that she has asked for a variety of numbers. What I was referring to was that I was not aware that there was a formal assessment.

Q25 **Chair:** Okay, so neither she nor you asked for a formal assessment of the number of cases of people coming into the country with coronavirus.

**Shona Dunn:** That information has been requested from SAGE and what returned was the 0.5% figure, Chair, which is the 0.5% figure we keep returning to, because it is the figure we can most rely on.

Q26 **Chair:** We are going around in circles here. So you did ask for that number, then?

**Shona Dunn:** We have asked for an assessment from SAGE and the number that SAGE felt comfortable giving us was the 0.5% figure.

Q27 **Chair:** Okay, but did you ask for the number?

**Shona Dunn:** There have been a variety of conversations with SAGE—

Q28 **Chair:** It sounds like not.

**Shona Dunn:** We have asked them to give us an assessment and that is the assessment that they have given us. The Home Secretary has asked for a variety of numbers, as she has scrutinised this—

Q29 **Chair:** All I am asking for is factual information. Let us look at the current date and figures for now, in July. Has anybody asked for an assessment of the number of people coming into the country in July with coronavirus? What is that estimate?

**Shona Dunn:** Chair, is that to me?

**Chair:** I will start with the Home Secretary and I will come back to you if you have a different answer.

**Priti Patel:** The answer is yes, because we do have that data. We will have that assessment of people. We do have that data, because we still



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see on a regular basis the number of people coming into the country. You are specifically asking for the assessment of people with coronavirus in July. We will have a number on that.

Q30 **Chair:** You have got an estimate. So, you have started asking for those figures now and you have got some estimates being done.

**Priti Patel:** We have been asking this consistently, because we see on a daily basis, internally in the UK, the prevalence and number of people in the UK with coronavirus. That equally applies to the number of people that are coming in from outside the UK.

Q31 **Chair:** So, of the 50,000 people currently coming into the UK, which you referred to, what is the Government's current estimate of how many of them are likely to be carrying coronavirus?

**Priti Patel:** The estimate, and officials are clear about the estimate on this—the estimate being the only reliable estimate based on their dataset—is 0.5%. That is the figure that we are consistently using.

Q32 **Chair:** Still? For July?

**Priti Patel:** There is a clarity on that. That is effectively what I have been presented with in terms of the figure that they are saying is reliable.

Q33 **Chair:** But that was the figure for 23 March as a percentage of the number of cases in the country. What is the figure for now, today, in July, when we have different quarantine arrangements in place that, presumably, are based on some evidence? What is your figure for now? Of that 50,000, what is the Government's estimate about the number of those people who are likely to be carrying coronavirus, thereby, presumably, justifying the quarantine arrangements you have in place?

**Priti Patel:** I have just told you the figure that I have been given as the only reliable estimate. We will ask for that to come to you in writing from a Government scientific adviser.

Q34 **Chair:** Have you really not had an updated figure since 23 March?

**Priti Patel:** No, we have updated figures every day.

Q35 **Chair:** So how come the only figure that you have got in your briefing is 0.5%, which is the figure from 23 March?

**Priti Patel:** Because that is the estimate based on the dataset that the scientific advisers in government are using.

Q36 **Chair:** Okay, can I ask Matthew Rycroft and Shona Dunn, why do the Home Secretary's briefing papers only have a figure from 23 March? Why has she not been given a more up-to-date assessment of the number of cases of coronavirus or the proportion of cases of coronavirus coming into the country?

**Matthew Rycroft:** The Home Secretary, as she said, has asked for, and received continually, updated estimates of the proportion of cases in the UK that come in from overseas. That number continues to be up to 0.5%,



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so it is a refreshed number. It happens to be the same upper limits as the number from 23 March, but it is refreshed advice from SAGE.

- Q37 **Chair:** And that is still an assessment of the number of cases in the country. What about the number of cases coming into the country as a proportion of the number of cases arriving at the border? Have you ever had that figure?

**Matthew Rycroft:** I have nothing further to add to what the Home Secretary and the second permanent secretary have said.

- Q38 **Chair:** It is quite troubling that it seems that none of you are able to explain just an assessment of the number of people likely to be coming into the country with coronavirus or the proportion of the 50,000.

Let me just ask you, then, one final question. Scientists are now saying that between 1,300 and 10,000 cases of coronavirus came into the country from mainly Spain and Italy in March—during that period where you were not asking how many people were coming, and during that period where you did not have any quarantine arrangements in place—and also saying that those figures hugely sped up the epidemic. Do you now regret not having quarantine arrangements in place in March?

**Priti Patel:** First of all, I did ask questions and I did have numbers, as did everybody in Government. Secondly, in terms of the measures that were being put in place at the border, we were following the advice—and rightly so—from Government advisers. It was deemed back in March in particular, if you recall—on 13 March—that the stay-at-home guidance was more effective than previously issued country-specific advice. That has been confirmed by our scientific advisor and by SAGE.

- Q39 **Chair:** I understand that that was the advice you were given at the time, but now in retrospect those same scientists, or similar scientists and advisers to SAGE, are saying that between 1,300 and 10,000 cases of coronavirus came into the country during that period, around March, when you had no quarantine arrangements in place. So do you now regret not having quarantine arrangements in place in March?

**Priti Patel:** Hindsight is a wonderful thing, but we were following the advice at the time, and I think that is absolutely the right thing to do. That was not just from the Home Office's perspective; this was cross-Government. It was in consultation with not just SAGE but the Department for Transport, the Department of Health and every other Government Department. If you recall rightly, I was involved in many of those meetings at Cobra, involving cross-Government and the DAs.

- Q40 **Chair:** Fine, and other countries were obviously doing something very different; so you don't regret not following other countries?

**Priti Patel:** Well, we have to do what we feel was right for our own country and not for three or four other countries. If you look at other countries, like the United States and Italy, their approach obviously has not actually reduced the numbers of covid going into their country or bringing their own domestic rate down.



**Q41 Andrew Gwynne:** Home Secretary, I want to turn to the issue of Hong Kong, because, as you know, successive Governments have resisted calls to change the legal rights of British nationals overseas. But the current Government's view—which is the correct view, in my opinion—is that the new security law is a clear and serious breach of the Sino-British joint declaration, and you have extended a right to remain and a path to citizenship to BNOs resident in Hong Kong. What analysis has been done of the likely estimate for take-up of this offer?

**Priti Patel:** First of all, we are in the process of doing a great deal of work on this. If I can just explain a couple of aspects to this whole BNO route in particular, you are right in terms of the reasons why we are doing this—because of the national security legislation. This new route will mean that BNOs can enter and remain in the UK, with the right to work and study, and it can actually lead to a pathway to citizenship.

It is a bespoke route and we are working on implementation. On that, there is actually a small ministerial group that is working on getting the assessments of potential numbers. The Foreign Office are leading on a great deal of this work with us. The two of us are working together. We do have assessments, effectively. Right now, the estimated number who are eligible for BNO status is 2.9 million people. There are currently just over 366,000 BNO passports in circulation.

We are also working—and this is quite important to note, actually—with other countries on this too, particularly our Five Eyes counterparts and colleagues, who are also saying that they also want to look at the type of route we are introducing and to create pathways of a similar nature. So, obviously, Canada, America, Australia and New Zealand are active on this, and the Foreign Secretary is leading on some of the discussions on that particular front. In fact, the Foreign Secretary had discussions just last week on this. We are looking at this right now in terms of getting effective, approximate numbers. These will be estimates and approximate numbers. That is something that we are currently working through.

**Q42 Andrew Gwynne:** Thank you, Home Secretary. Obviously, you do not have the detail of the proposals yet, but Hong Kong Watch has suggested that these could exclude young people—specifically those born after 1997, even though they are more likely than any other group to be the target of the authorities, since they have been the most active in the demonstrations. I am not asking for the detail on the specifics of the scheme now, but can you give assurances on this particular point?

**Priti Patel:** I can give you more than an assurance on this. I am actively looking at that particular age group and cohort, because of course they would have been too young at the time to have been registered as BNOs. The Government have given a clear commitment on that. I am looking at a number of options and I would be very happy to come back to the Committee in due course to unpack those options and talk about them. We are trying to work through this right now. It is complicated, but we are absolutely giving that commitment very clearly to that particular cohort.



Q43 **Andrew Gwynne:** Thank you. I think that is a really important point that you have clarified there. Can I turn now to the issue of borders and specifically of migrant crossings? In January 2019, the British and French Governments agreed the treaty of Sandhurst to improve border security and prevent people from crossing the channel in small boats. Migration Watch reports that around, I think, 2,300 have successfully crossed to the UK in the first half of 2020. Do you accept those figures?

**Priti Patel:** I do not have those in front of me. I see figures on a daily basis on small boat crossings, because I see not just the data but every single incident report that comes in. What I would say, and I will be very clear about it, is that these numbers are shocking, appalling and unacceptably high. Shona Dunn is leading on a team who are working specifically on this. I can also say that as of 2 July there are 166 arrivals with a Eurodat hit who are ready to be returned to Italy, Germany and France, and we have already made return requests for a further 577 people who have come into the country this year alone.

The figures are unacceptable. We have a major problem with these small boats and the route itself. I was in Calais on Sunday morning, and I can tell you right now that we want to end the viability of that route because of other measures that have been put in place over recent years—lorry drops, for example. There will be more measures and more checks at various borders, even in Belgium. We are working with the Belgian authorities as well to try to stop and prevent the facilitation of people trafficking through lorries.

This route is incredibly problematic. We cannot sugar coat it; it is absolutely problematic. I have seen for myself along the roads in Calais camps that have been set up. The French authorities, through the Sandhurst agreement that has been put in place, are clearing camps, but actually all it is leading to is greater displacement. We have also seen that individuals who we have returned back to France will still try to come over again. We have repeat people who have tried to come over again, which is why, because we do have data on these individuals, we are so persistent in returning them. The fact of the matter is that France is a safe country, Germany is a safe country, Italy is a safe country, and people should be claiming asylum in those countries.

Q44 **Andrew Gwynne:** It is all fine and well to say that these are unacceptably high figures, but do you consider them to be a success or failure of the treaty measures?

**Priti Patel:** To be quite frank, I am looking to make changes, to be fair and very honest about this. The Sandhurst treaty was clearly brought in for this very reason: migrant crossings were taking place and it was right that we had a bilateral agreement with the French authorities. I think it was good and I think it was important. Let's not forget that the French authorities themselves have stopped many migrants from crossing. Across the month of April and May this year, they have stopped over a thousand migrants from crossing. That is part of the agreement that was formalised in the Sandhurst treaty.



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The practicalities and the facts are that too many people are still making crossings, and leaving France or trying to leave France, and they get over here. We are fundamentally looking at changing ways of working in France. I think it is fair to say that I have had some very difficult discussions with my French counterpart, even looking at interceptions at sea. Currently, the French authorities are not intercepting boats at sea. By that, I mean even boats that are just 250 yards or so away from the French coast.

I feel that there could be stronger enforcement measures on the French side, and they have heard that from me. The Sandhurst treaty, as you know, has led to significant amounts of UK taxpayers' money being invested in security mechanisms, French police patrols on the beaches and electronic equipment. They are using all that, but let us not forget that the scale of the beaches themselves, in terms of geography, with the sand dunes and so on, is complicated. We are actively in discussions right now to look at what further actions and what additional cross-working is potentially required. I would like us to have much more joint working. We agreed that over the weekend—more intelligence and data sharing, and more use of the NCA data on individuals.

The French system is very different from ours. We are slightly more agile and interoperable in the UK, across our Border Force, the NCA, our crime agencies and the way we pool data together. In France, the system is not geared up to work in that way. That is part of the challenge we have. The fact of the matter is that we have to try to break this route. To break this route, in my view, we have to intercept boats at sea and return them back to France.

**Q45 Tim Loughton:** In terms of the numbers, Chris Philp confirmed that 450 people have come across in the first quarter of this year—those are the ones we know about. I think that figure has probably been exceeded in just the space of the last few weekends—we have had record numbers.

**Priti Patel:** It has.

**Q46 Tim Loughton:** Chris Philp also confirmed that some €68.6 million had been spent by May on beefing up security with the French, and yet clearly it is not working. Despite the numbers who have been returned, record numbers are still making it into British territorial waters.

Can you confirm that you think the French have the powers—they claim that they don't—to intercept boats at sea in French territorial waters, whether metres or miles away from the French coast, and take them back to French territory? They are not doing that at the moment. Frankly, the only way we are going to combat this is if it becomes clear that you stand a very slim chance of making it across to British land if you are intercepted by either the French border force or their equivalent, the UK Border Force. That might just deter people from getting into the water and paying people traffickers £4,000 in the first place. Do you agree?

**Priti Patel:** That is absolutely right, and that is what we are working to achieve, right down to sharing legal advice and guidance on maritime



laws. Let us not forget that a lot of this is governed by maritime laws and the French authorities' interpretation of what they can and can't do at sea. It is our advice that they can go ahead and do that, and that is effectively what the Minister, Chris Philp, is alluding to. That is part of the discussions we have been having with the French authorities throughout the entire coronavirus crisis. Through the pandemic, when the weather has been good, we have seen a surge in the numbers, and we have to end this route. We want to break this route. We want to make it unviable. In my view, the only way to do that is by intercepting and returning the boats back to France.

**Q47 Tim Loughton:** Key to this is that the French must agree—obviously, they have to agree for us physically to be able to land the people trying to cross back on French beaches. We disagree with the French interpretation of maritime rules. That is the basis of the problem.

You had a meeting with your new French counterpart at the weekend, and you say that we have had ongoing discussions about this. The Cherbourg agreement a while ago was apparently an informal agreement whereby we could repatriate at-sea interceptions back to France, but nothing has ever happened under it, and it turns out not to have been worth the gentleman's handshake it was made on.

**Priti Patel:** That is absolutely correct.

**Q48 Tim Loughton:** Have you any optimism that your discussions with your new counterpart last weekend might lead to the French saying, "Yes, you can return interceptions at sea"? Surely it is in the French interest to do that, because people are only massing on the beaches and paying people traffickers because they know that they won't be picked up by the French authorities when they get in the water. The only way they will be picked up is if they are sinking.

**Priti Patel:** That is absolutely right. A number of things are important. Since last year, we have stress-tested the Cherbourg agreement again and again. In fact, I think one of my officials described it as a "gentleman's agreement", which is thoroughly inappropriate. It is literally just a sort of informal agreement. The fact of the matter is that these agreements are here to stand the test of time and to be operationalised. I have been making the point repeatedly to my French counterparts that we have gone further than that.

We have offered to work with them at sea on joint exercises to demonstrate how boats can be returned safely, because the other point to note is that it is equally important, along with maritime law, that we actually prevent loss of life at sea. For many of these individuals who are being trafficked and facilitated, it is incredibly high risk to carry on in this way. The French and British authorities have picked up many people who have literally ended up in the water. In fact, this week two people were taken back to France with extreme hypothermia. That is incredibly dangerous. It is our objective right now to try to operationalise this.



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Throughout covid—in fact, since two months ago—we have also been running a series of exercises in the water, at sea, involving a range of maritime assets, including military assets, to bolster Border Force and to demonstrate how we can safely pick up boats and therefore transfer them back to France. That is effectively the dialogue that we are now entering into with France, in terms of how they can work with us and show willing, because it is doing their country—particularly the Calais region in northern France—no good whatsoever and actually undermines their homeland security, in terms of border security. We want them to work and collaborate with us on this project.

**Q49 Adam Holloway:** Some years ago, I spent a couple of weeks living undercover in the old Sangatte refugee camp in Calais. Would you agree with the conclusion that I drew then: that the overwhelming majority of people making these crossings are migrants, absolutely not refugees, and that the people who do this are mostly the relatively wealthy from their home countries, who are in a position to pay these people smugglers?

**Priti Patel:** Mr Holloway, you are absolutely right, and it seems that very little has changed between the period when you were in Calais, in Sangatte, and the period that we are in now. You will find that the nationalities may have changed slightly, but effectively they are migrants. They are looking to, quite frankly, make a new life for themselves in another country. As I said earlier, if they were genuine asylum seekers, they would claim asylum in the first country, which is France. Let us not forget that many of them have travelled through many other European countries. I have already referred to Germany and Italy, in addition to France, to which we will be returning individuals who transited through those countries. We are returning people.

However, the fact of the matter is that northern France, I am afraid, has become the place where people seek to go to then come to the United Kingdom, which is why we need to break this route. We have to make this route unviable.

Similarly, hundreds of millions of pounds have been spent over the last 10 years by my predecessors, and through different bilateral arrangements with French counterparts, on putting in more border security in both in France and the United Kingdom; closing down, as you will recall, Mr Holloway, people coming through the channel tunnel; putting up fencing; and at the same time stopping other routes that were more viable.

The fact of the matter—as I saw myself, and as the French authorities confirmed to me on Sunday—is that, even at night, migrants attempt to run on to the motorway and jump on to lorries to try to make that dangerous journey. They are putting themselves and their lives at risk. We have to grip this situation, and right now our priority is to make that route unviable.

**Chair:** Could the Home Office send us some more dates and data on the proportion of those people who are arriving who put in asylum claims, and also the proportion of those asylum claims that are successful and



unsuccessful? It would be very helpful to have that data.

**Q50 Ms Abbott:** Home Secretary, I want to ask you some questions about Windrush, in particular about the compensation arrangements. You did apologise for the Windrush scandal—I was in the Chamber and I heard you. Do you appreciate that apologies are worthless if the Home Office is not processing compensation claims in a timely fashion? Wendy Williams commented in front of the Joint Committee on Human Rights recently that interim payments should be made much more quickly. We know that only 60 people have received Windrush compensation pay-outs so far, out of more than 1,000—1,275 people—who have applied. We also know that five people have died.

Do you appreciate the concern about the slowness—the concern, as your permanent secretary said the last time we took evidence on this, that you are doing this in your own good time? People will die before they get what is owed to them. What measures are you prepared to take to speed up the processing of these compensation claims?

**Priti Patel:** Ms Abbott, your comments are absolutely fair. They are very fair. I will bring in Shona shortly on some of the casework handling.

I want to see compensation payments sped up, and Shona will testify to that, because I have been clear to the Department on a number of things. In terms of measures, I will put in whatever measures are required. I have made it quite clear that whatever resources—physical resources, in terms of people, or data resources—are needed, I will put them in place. I ask the team every single week what resources they need.

We have a range of challenges on this and we can discuss some of those issues. I do want to see compensation sped up. I think it is absolutely unacceptable that people have died, and you are right to point that out and to highlight it again.

Windrush is a stain on this Department. I am not the only one who has said that publicly. As Home Secretary for this Department, apologising is simply not enough. What happened in this Department is an absolute stain. Let us not forget, Wendy Williams herself in her damning report—and it was damning—was just a tiny fraction away from calling the Home Office institutionally racist.

There are a number of measures that are being put in place. On compensation payments, the scheme is complicated. I have gone through the scheme myself—I go through it on a weekly basis. I look at cases not just on a weekly basis, but on a near daily basis right now. I have trackers and I am following the way in which cases are being handled, and they are taking ages. Some of the reasons as to why they take ages are because we are relying on other Government Departments to provide information around benefits or even getting verification from HMRC—Shona will speak to some of that. I am not ruling out trying to simplify this as well, quite frankly.



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In terms of figures, 1,391 applications have been received by the scheme. A total offer of £1.5 million has been made to 154 individuals. We do have urgent and exceptional payments that total over £72,000. Documentation has been granted to over 12,000 individuals, including 5,900 who have been granted citizenship. A high number of offers have been made to individuals. We have to look at how we can make this scheme much more functional.

I will also share with the Committee, because this comes to the crux of the issue, that as of 1 July there were 254 cases that have been with the Home Office and have taken over 12 months to progress—we have not been able to process them. These are difficult cases but, importantly, these are the types of cases that I am trying to unpack right now, to understand why they are difficult. Is it an issue with the way we are asking individuals to provide information? Is it a case of the level of care that is required and how complicated they are? The fact of the matter is that I want people to receive the maximum level of compensation they are entitled to.

As I have said, my focus has been very much on saying to the Department, “You tell me what you need and we will absolutely put the resources in place,”—that is a near daily discussion that I am having. Through those 254 cases, I am now trying to ascertain why it is taking so long. Are there system issues? Are there process issues? Is it complicated in terms of the requirements that we are putting on individuals? Let us not forget: the onus is on the individual to find information and to respond to engagement with us. We still need to unpack that.

If I can hand over to Shona, she might want build on some of the work that is going on on a case-by-case basis.

**Shona Dunn:** Thank you, Home Secretary. I am grateful for that. As Matthew and I both said last week, and as the Home Secretary said, we are completely committed to speeding the process up as far as we possibly can. We agree that it is not fast enough at the moment.

As the Home Secretary has also said, Matthew and I have daily conversations to get to the nub of what else—any type of resource or support—might move us forward faster. That is an absolute priority for every single one of us. There are a variety of things that we said last week and I would say again this week that I think are relevant—

**Chair:** I am going to interrupt you. We do not have time to hear again the evidence that we heard from you last week. If there is further evidence that you want to provide for us on the detail of the things that you are doing, please do write. Back to you, Diane.

**Shona Dunn:** Apologies. The key thing I was going to say—

Q51 **Ms Abbott:** Sorry to interrupt you, Shona. Are you saying that the problem is not one of resources?



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**Shona Dunn:** I am saying that, as we referred to last week, there was a stage at the beginning of the process where people needed to work through early claims to work out how to do them fairly and consistently. We are now building up resources. I beg the question every day: can we build up resources, and if we build up resources faster, can we move faster? As we are learning, the answer is becoming yes. I have 11 new caseworkers starting on Monday who are already fully trained, and that trajectory will continue week on week from here until I am absolutely satisfied that there is no further margin for speeding anything up as a consequence of caseworker capacity. I am looking at every single element of the process, so—

**Chair:** Okay. Those are still pretty much the things that we heard from you last time.

Q52 **Ms Abbott:** I remind you of the case I raised last time of Joycelyn John, who was wrongfully served removal papers. Processing her case has taken an extraordinary length of time. She rang last week and nothing has changed, nothing has moved. What does it take, in reality, for you to speed up dealing with those cases? Can you look at Joycelyn John's case again?

**Shona Dunn:** Absolutely. I have asked the question about Joycelyn John's case and I have some caseworking details in front of me. I do not have all the caseworking details in front of me, but I have absolutely been looking at that case.

The key thing to say in that case is that the caseworkers are looking, particularly given the point you made about impact on life, at how they can make sure that the compensation that Ms John receives is as generous as it is conceivably possible for it to be under the terms of the scheme. I have checked that point since last week and I am happy to share further caseworking details with you outside the session.

Q53 **Ms Abbott:** Thank you. I want to go on and ask a further question on policing, but before we leave Windrush, on the question of citizenship, why is citizenship being denied to people who have been allowed to come back as returning residents? They are being denied citizenship because they have been out of the country so long, but they have been out of the country so long because the Home Office removed them. The other question is about criminal convictions. Are you really denying citizenship to people for very old criminal convictions and very minor criminal convictions?

**Shona Dunn:** The cases on citizenship, as you rightly say, will often be complex. There will be a number of different factors that relate to individual—

Q54 **Ms Abbott:** Two specific factors. I am asking about the amount of time you are out of the country, even when it is not your fault, and where you have criminal convictions—those two specific factors.



**Shona Dunn:** Where people have been out of the country for reasons that were clearly not their fault and related to Windrush, that absolutely can be picked up by the taskforce and I would expect that to be taken into account in decisions around citizenship. On criminality, I think the position is clear that the good character test and criminality test are part of the questions about citizenship. If there are very old criminal convictions, I know again that that is something that the taskforce takes into consideration.

Q55 **Ruth Edwards:** I would like to turn to the issue of policing, if I may. We have heard a lot of conflicting opinions about stop-and-search, and I wondered what your experience was of engaging with communities, particularly black and minority ethnic communities, around the issue.

**Priti Patel:** As someone who spends nearly every single day in this role with representatives from the police, I want to pay tribute to the police for their conduct and how they have responded to the deeply challenging times through coronavirus. I also pay tribute to the way in which they have been engaging communities through what has been quite a challenging period.

Specifically to your question about my experience of stop-and-search, I have met victims of knife crime and serious violence many times, and I have had the experience of not just seeing, but hearing from those victims—or, more often, from their mothers and fathers, speaking of the devastating impact that knife crime and violent crime has had on their children. More often than not, that has resulted in the loss of their child.

Stop-and-search, in my view, is a vital tool to protect and to prevent further victims of such crime. I have heard this repeatedly from many victims, and from parents in particular, from predominantly Afro-Caribbean communities and very much, I have to say, across the country. I have heard it more in London, where I have spent more time due to restrictions prior to covid, speaking to individuals who have repeatedly said to me that stop-and-search is working, that it could have saved the life of their child and that more needs to be done to reduce violent crime and to get deadly weapons off our streets.

Q56 **Ruth Edwards:** It sounds to me as though the police are caught between a rock and a hard place. On one hand, there are accused of over-policing communities, and on the other, they are told that they do not do enough to stop knife crime and serious violence. How do you think they can strike the right balance, one that not only has the confidence of all communities in the UK, including black and minority ethnic communities, but tackles serious violence?

**Priti Patel:** First, we must remember and reflect on the model of policing that we have in our country. First and foremost, we have policing by consent. That defines the nature of police here; it is a Peelian principle that has been established for over 200 years. Effectively, the police are part of the communities that they police. They work with community groups and organisations every day. I have heard a remarkable range of



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frankly uplifting stories and reports about chief constables and police officers, even throughout coronavirus, and proactive community engagement. The public do want to see police officers active in their community.

Specifically with regard to stop-and-search, towards the end of last year we asked the College of Policing to update its guidance on stop-and-search, to ensure that the guidance provided the best practice around community engagement, proportionality and safeguards. That is absolutely right, and that is effectively how the police police. They exercise their judgment, they are trained in that way and they have my full backing when it comes to the fair and proportionate use of stop-and-search to tackle serious violence.

We have seen a lot of that: we have seen some frankly horrible scenes around the country—devastating scenes and violent activity, where the police themselves have been subject to the most abhorrent and appalling assaults. Of course, the police have to exercise their judgment in every situation. When it came to the protests, as we saw, the police were exercising their judgment based on operational command that was given to them at the time.

**Q57 Ruth Edwards:** You mentioned assaults on police officers, and I think we were all shocked to see the pictures of quite serious injuries caused to police officers who were policing protests here in London. I know that the Government are currently consulting on doubling prison sentences for people who assault any emergency services workers, but do you think that will be enough to help to protect not only our police officers, but other emergency services workers? Will it be enough to deter assaults, and is there anything else we can do, apart from increasing sentencing time?

**Priti Patel:** Thank you for the question. I think this is really important. We have seen the pictures on our screens and all the rest of it, and we cannot underestimate the level of violence or the assaults that have taken place on our police officers. Last year alone, there were something like 30,000 assaults on our officers—what I would define as senseless violence being levelled at our brave officers. It is worse than alarming, quite frankly.

The consultation is important. That is why I urge everyone to participate in and engage with it. The consultation is about doubling the maximum sentence for assault on an emergency worker. We want this to be a deterrent. It is right that this should be a deterrent. Look through some of the figures that the NPCC has published throughout covid, on assaults, and those on prosecutions—the CPS stepped up throughout this period to tackle the perpetrators of assaults.

Frankly, the measure to double maximum sentences is important. We need a deterrent in the system, which is there—we hope—to make people think twice, but at the same time much more is required in general and in genuine respect for people who serve our community. They are there on



the frontline to protect us all from danger and harm, whether they are a police officer, an ambulance worker or a fire worker, anyone in a uniformed service. The lack of respect that is shown to them, day in, day out, with the incredible work that they do, is simply not acceptable. I hope that the consultation will go some way towards rebalancing some of that.

**Q58 Simon Fell:** I would like to move on to police reform. Sir Tom Winsor's recent report on the "State of Policing" gives us lots to dig into. The chief inspector makes some stark recommendations on police funding and on force structures. On the funding point, there is a recommendation about moving away from short-term funding to three-year funding reviews to enable longer-term planning. I note that the policing Minister in the Chamber on Monday suggested that he was unhappy with the current set-up. On the structure point, there was a call that the current force arrangements are no longer fit for purpose, and for closer co-ordination across local, regional and national groupings and structures. I wonder what your thoughts are on these issues. Do you agree with the need for reform?

**Priti Patel:** The answer is that I do—I absolutely do. I have seen that at first hand. I can say this because, when I look at the relationship that this Government have with policing, ours is probably one of the strongest that any Government have had in decades.

It is right that we engage with the police leadership, with the frontline, day in, day out, and we are doing that, very consistently. I am unapologetic about that, because it is important that the Home Office, and a Home Secretary and a Government that believe in law and order stand with our police forces and police officers, but there is of course an opportunity to look at what is not working as effectively as it could do. That is why the Tom Winsor report is important.

I would like to make a number of points on this. One of the lessons that we have seen throughout this covid pandemic—fundamentally, because I have been speaking to the police chiefs and leadership every single day throughout the crisis—is policing working in a very different way. We have seen greater agility, greater integration, more support across our forces and deployment work in a totally different way. When we thought protests could have come earlier, we set up cells on protests, teams ready to provide mutual aid and all sorts of things. Much more can be done about effective ways of working—perhaps stopping the silo-ised culture, which is very much a legacy of the past.

When it comes to reform, this is about not just money, but the outcomes that we want to see. I agree that the funding formula is problematic and out of date. It is so complicated! The policing Minister was absolutely right to point that out in the House on Monday. We have been looking at it already but, obviously, in terms of priorities now, with covid in particular and with policing's biggest financial uplift in over a decade, our priority is to ensure that we resource the police in the right way. That is not just because of covid, but by supporting them on recruitment and getting



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crime down, with focusing through the National Policing Board on some key policing outcomes that could make a difference in the community.

I should say that another area of significant change is the accountability in the governance of police and crime commissioners. Just last week, I was with our fantastic police and crime commissioner in Sussex, Katy Bourne, who is transforming policing, driving amazing outcomes on issues such as domestic abuse, pulling together great technology software to drive outcomes, and making sure that vulnerable kids are protected. We do not see that level of consistency across all police forces. That is one example. Another example is London, where the police and crime commissioner is going out of his way to cut policing numbers at a time when we are seeing increases in crime. In Derbyshire—

**Chair:** We are not going to use this Home Affairs evidence session as a forum to make comments on the records of particular party police and crime commissioners. Simon Fell.

**Simon Fell:** Thank you, Chair—

**Priti Patel:** I think, Chair, that it is important to understand how fragmented policing has become and where accountabilities and responsibilities lie, particularly when it comes to police and crime commissioners.

**Chair:** I completely understand, Home Secretary, that you will have party political views on the performance of individual police and crime commissioners across the country and will want to make those points in the run-up to police and crime commissioner elections. However, we have an awful lot to go through and not many minutes left. Simon Fell.

Q59 **Simon Fell:** This will be my last question then, Chair. One of the interesting findings in the report is on mental illness and how often the police are the first responders for people who have mental issues and alcohol and drug dependency. The report cites Avon and Somerset police—in 70% of cases in which they detained someone under the Mental Health Act, they had met that person before. Police are bearing the brunt of those repeat cases. Obviously, fixing that means joint working across a range of different areas and Departments: education, housing, social services and so on. We have seen a solution to this during the pandemic, when local resilience forums have, to a degree, stepped up and brought those different services together. What do you think the Department and, in particular, policing, could learn from that?

**Priti Patel:** Those are absolutely touchstone issues because they affect every community around the country—that is a fact. Even throughout covid, I have been quoted many times as saying that policing has become the backstop for society for some of the wider issues, problems and challenges—we see that across all police forces. That is a fact when it comes to mental health, when service provision is not there. I am sure that you have seen it yourself in your constituency; I have been out with my own force in the past on weekends—Friday nights and Saturday



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nights—when mental health facilities are not open and available. Effectively, the police then step in and a whole triaging system comes together.

We have learned a lot through the covid crisis. You touched on local resilience forums and it is important to reflect that many of them have a policing structure—the gold command—and are more often than not led by our chief constables, who have done a fantastic job throughout covid to facilitate and join up all aspects of the state and society. That involves local authorities, health authorities and other key aspects of the state—that is important. I bring you back to my earlier point about ways of working, which is one of the key lessons that we have learned from this.

We have also seen greater proactivity. Another good example, alongside mental health, is domestic abuse. When we look at the trends in domestic abuse that materialised throughout covid, some of our police and crime commissioners—I mentioned Katy—have absolutely gripped that. There were other leads in policing on domestic abuse and they were able to work across the country with other police forces to look at what resources and safeguards could be put in place, and how they could work with refuges, third-party organisations, providers and local authorities to join up service provision.

We could argue about whether that is the role of the police, but frankly, policing is a very significant pillar in our community and has to deal with many of the problems in those spaces, whether mental health or domestic abuse. They can help to join up with other agencies. There is more to do there, and I do think—coming back to the Tom Winsor report—that structurally, there are things we should look at. That is the reason why I made the point about police and crime commissioners, because there are things that cross over into their governance structures that also link into the way police forces work, and also the prioritisation of policing priorities, such as dealing with many of these multi-agency service issues and how some forces and PCCs can work in a different way with a new footprint.

**Chair:** Thank you. Sorry to interrupt, Home Secretary, but we have a few other issues we want to cover.

**Q60 Dame Diana Johnson:** Home Secretary, I want to spend a moment looking at your proposals around the new immigration system that you want to introduce, and particularly how it will affect the social care sector. I am sure you have already seen the comments from Age UK, the Association of Directors of Adult Social Services, the GMB, Unison and the Royal College of Nursing, which are all very concerned that at this stage, we already have 122,000 vacancies in the social care sector. It has one of the highest turnovers in any sector of the economy, and we know that 66% of EU key workers in health and social care would be ineligible under the skilled worker route. It has been suggested that in the light of the current circumstances with the coronavirus pandemic, taking the step of excluding care workers from the health and care visa is reckless. I wondered what you thought of that, Home Secretary.



**Priti Patel:** It is important to put some of this into context. I myself have spent a great deal of time during the development of the points-based system policy, which started last autumn, in engaging with the profession and the sector, and my officials and the immigration Minister have done exactly the same. Just to give one example, I have been involved in discussions with the chief exec of NHS Employers and the deputy director of development and employment within the NHS, as has the Department of Health and Social Care, to understand the needs of the social care sector. We have been working with that sector across Government, and specifically within the Home Office, to understand jobs in the social care sector and the level of skills that are required in terms of qualification. Clearly, the skill level at RQF3 level and above will be able to come in through the new skilled worker route.

Q61 **Dame Diana Johnson:** Sorry, what does that mean specifically? What skill level is that?

**Priti Patel:** That is A-level and equivalent.

**Dame Diana Johnson:** As a care worker.

**Priti Patel:** This is coming to the UK under the new skilled worker route. That has been published as part of the points-based system, and is in the detail of what we have published thus far.

There are a number of other points that I would like to make specifically about care workers. You also mentioned EU citizens who are care workers. We have already guaranteed the rights of many EU citizens who are working in the care sector through the EU settlement scheme. We have guaranteed the rights of 3.4 million EU citizens and their families under that scheme.

Q62 **Dame Diana Johnson:** They have to have been here for five years in order to qualify for that, though. Is that right, Home Secretary?

**Priti Patel:** That is the qualification process, but 3.4 million have been granted citizenship already.

It is really important to emphasise that we have also been working with the Migration Advisory Committee on this since last autumn—since literally September last year—and they have specifically said at every stage that immigration is not the solution to addressing staffing levels in the social care sector. In the discussions we have had with the social care sector and with the Department of Health and Social Care, the emphasis on both sides—I was involved in those discussions—has been on the need to, first and foremost, pay people in the social care sector higher wages. That is absolutely essential and the right thing to do. We also need to create a proper career path for them and invest in their training, which is vital, rather than rely on trained personnel from overseas.

Q63 **Dame Diana Johnson:** I don't think anybody objects to that. The problem is that it is seen that a cliff edge could be coming up, because bringing in those higher wages and having a workforce strategy are not



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going to happen before you introduce the new scheme. There is an issue about whether transitional arrangements should be introduced to get us over this coming winter in particular, when it is likely there will be even more pressure on the health and social care sector because of coronavirus.

**Priti Patel:** We have been having these discussions with the sector since last year, and they have been sighted on the work of the Department but also on the need to train more people. To be fair, we are seeing more people being trained in social care within the UK. There are reports and there are particular companies that are specialising in that training, and that will always help in terms of growing the numbers.

Q64 **Dame Diana Johnson:** But there are 122,000 vacancies. That is my concern—that we already have those.

**Priti Patel:** I understand that concern. It will take time. But we are as a Government—this isn't just the Home Office—as you have heard me say, working with the sector and working with the Department of Health and Social Care. I have always said since last autumn, since I came into the Home Office, that it is really important that we keep data under review—that is labour market data per sector; I have been very, very clear and consistent on this—to monitor the pressures in the sector and to work with my colleagues and counterparts across Government on this. I have always been very clear and open about that, and my colleagues themselves, ranging from social care to the Business Department to training departments, working with the sector, have been very specific in saying that they want to prioritise more investment and more training of UK people who can and could work in the social care sector and to grow that.

That is not going to happen overnight; we are the first to admit and recognise that. It does take time, but we should also be creating that structure in our country to support our own labour market and our own economic sustainability within the social care sector. This is a vital sector. It is a sector that possesses the types of skills that sometimes you can't just learn or train for; you can't just pick up the qualification. You learn those skills through being on the job.

This is something that is very fluid. I have been very clear: we always keep labour market data under scrutiny to look at pressures in the sector. But immigration is not necessarily the sole answer, as I have outlined, to fixing the issue around shortages in certain occupations.

Q65 **Dame Diana Johnson:** Can we be clear, then? If the vacancy rate climbs after the introduction of the new immigration system, in terms of the care sector, you would be minded to look again and to see whether there need to be some transitional arrangements.

**Priti Patel:** There won't be transitional arrangements. What I will do is work with the Department of Health and Social Care specifically, as we have been doing anyway—we have been doing this throughout the whole coronavirus crisis—to look at the data and any pressures, because obviously when it comes to social care, that is not run centrally through



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Government. It goes across every single primary care trust, NHS trust, across the country. So we would learn from the Department of Health and Social Care where the pressures were and, if there was something that we had to assist them with or give them support on, in terms of support for people coming in to work in those sectors, then clearly we would look at that.

**Dame Diana Johnson:** Thank you.

Q66 **Stuart C. McDonald:** Home Secretary, I just want to follow up on that point. I agree with what you have said twice—that it will take time to reform the social care sector. So why are you embarking on this course now, right at the height of a global pandemic? We have had warnings of a second wave this winter. You are making it harder, not easier, to get the social care workers that we need. Why on earth are you even contemplating that?

**Priti Patel:** On the contrary, I am not making it harder. When you look at a number of things—as you have just heard me say, very clearly, we have been working on this policy, the development of a points-based system, since September last year. This is not a new measure at all. Within that, we have been clear in terms of thresholds, tradeable points and the need for skills and qualifications to come to the United Kingdom. You have already heard me outline as well the RQF level, and the equivalent, which could come through our new skilled worker route, through the points-based system.

Q67 **Stuart C. McDonald:** But it is the salary level that precludes vital care workers from coming in; it's not the—

**Priti Patel:** I have just highlighted the RQF3 level. That is about the skills that people have.

Q68 **Stuart C. McDonald:** Yes, but it is the salary level that is the problem. The RQF3 is fine; it's the salary level.

**Priti Patel:** I think you are missing the point fundamentally about the points-based system. It is about the qualification, the skills that are required and the employer who will sponsor you to come to the United Kingdom to work in a particular sector, including the health sector. Let's not forget as well that earlier on—

Q69 **Stuart C. McDonald:** Are you saying that your points-based system is going to allow a care worker to come in earning £18,000 or £19,000?

**Priti Patel:** We have effectively said, if you look at the detail—I am sure that you have read the policy document that was published—

**Stuart C. McDonald:** A lot of it, yes.

**Priti Patel:** There will be a system of tradeable points, and a system where employers—

Q70 **Stuart C. McDonald:** If you know your system, tell me whether it will allow a care worker to come in earning £18,000 or £19,000, which most



care workers in England and Wales earn.

**Priti Patel:** The answer to that, as you well know, is no, but you have also just heard me spell out very clearly that where there are shortages in the labour market, we will be able to work with employers to fill shortages. I made that quite clear last year. I have said that several times this year. I said that in February, when I announced the points-based system.

Q71 **Stuart C. McDonald:** So you are making it harder, because currently you can recruit care workers at that level from the EEA without any complications at all. Now you have to go through the rigmarole of a visa application and whatever else, and you also have to establish that it is on the shortage occupation list, so do not accuse me of not knowing the system. It is you who does not know your own system.

**Priti Patel:** I think your point here is that you are fundamentally objecting to the fact that we are ending free movement as a Government, and that you will no longer be able to bring people from the EU—

Q72 **Stuart C. McDonald:** I do, and I also object to the fact that you are making it much harder to combat coronavirus in the months ahead than it would otherwise have been—an absolutely nonsensical move.

Can I move on to the TOEIC scandal? I did give you notice that I would ask about this. In March, you told Stephen Timms that you were looking into it. Can you tell us what you have found?

**Priti Patel:** I know that you are raising this question on behalf of Stephen Timms MP. We are specifically working with Stephen Timms to understand the issues that he has raised around certain cases. That is something that the Home Office has picked up, and our immigration Minister has picked that up.

Q73 **Stuart C. McDonald:** That is not exactly comprehensive. Could we get something get a little more comprehensive in future?

**Priti Patel:** We are in touch with Mr Timms directly about this.

Q74 **Stuart C. McDonald:** Okay. Coming to visa application fees, you talk about wanting to attract the brightest and the best, but if I am one of the brightest and the best from France, Germany or Poland, why on earth would I want to take up a job in Edinburgh, Cardiff or London if I am going to have to pay £10,000, £15,000 or £20,000 in an immigration health surcharge, go through an application process and have no guarantee of settlement at the end of it, when I could take up the same job in Dublin, Tallinn or anywhere else in the EEA free of charge, without any visa application and without any uncertainty about my future? How is that attracting the brightest and the best?

**Priti Patel:** When it comes to attracting the brightest and the best, you will know that with the points-based system the focus is on employers acting as the sponsor for that individual. This is about bringing talent over to the United Kingdom to work in many sectors and many firms. The structure of the points-based system has always been focused on that route of sponsorship, having a job to come to in the United Kingdom, and



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effectively giving people choice. There is an active competition in the world. If people choose to go to other countries, that is a choice that they would make, but—

- Q75 **Stuart C. McDonald:** But to answer my question, the immigration health surcharge sticks out like a sore thumb compared with other countries. People in Europe will literally have to pay £10,000, £12,000 or £15,000, depending on their family circumstances, upfront to come to the United Kingdom to take up a job, when they can do that same job anywhere in Europe without paying a penny or going through any application process. Why will somebody come to Edinburgh instead of Dublin if they have to pay £20,000 upfront for the privilege?

**Priti Patel:** I think that you are conflating points here, because fundamentally countries offer different health schemes and structures. Don't forget that the immigration health surcharge contributes a significant amount of income for the NHS. If you are suggesting that people should come and live and work, and go around the world—

- Q76 **Stuart C. McDonald:** And pay their taxes, just like everybody else does, yes. To move on, for the immigration Bill your Department's modelling said that the financial threshold and so on would see a reduction in net migration from the EU of about 70%, but that modelling did not include the impact of fees. Have you done that modelling now?

**Priti Patel:** I can find that out for you.

- Q77 **Stuart C. McDonald:** If it is a 70% reduction before the impact of fees, we are probably going to see EEA nationals disappearing like snow off a dyke.

**Priti Patel:** Don't forget that we do have the EUSS scheme as well, which has already guaranteed the rights of 3.4 million people. Of course, I am sure that you and many others are highly critical of that, saying that people—

- Q78 **Stuart C. McDonald:** No, not at all; I think it is a good scheme. What I hate is the fact that it is not declaratory. Can you tell me when you are going to publish your guidance on who has a reasonable excuse for missing the deadline? That will be absolutely crucial to making sure that hundreds of thousands of folk are not left in the same situation or a worse situation than the Windrush generation. When is that guidance going to be published?

**Priti Patel:** Specifically on the EUSS scheme?

**Stuart C. McDonald:** Yes, there is supposed to be guidance being published.

**Priti Patel:** On the scheme itself, as you know, it is a three-step scheme. In terms of publishing guidance, there is a lot of work that has already taken place on outreach to communities around the country. We updated guidance around this because of covid. We have been hindered in getting out and about to have our engagement events because of covid. As we



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return back to normality, we will be able to go back and highlight through not just the resolution centre, but many of the voluntary organisations and community organisations—

Q79 **Stuart C. McDonald:** Quite specifically, I think you said in your correspondence with us that there would be guidance published that sets out what the Home Office will consider as a reasonable excuse for missing the deadline.

**Priti Patel:** We have not given a date for that just yet, because obviously we are not at that stage—primarily because of everything we have been doing around EUSS in terms of our outreach and engagement. We have been following public health guidance, and many of our touchpoint events and so forth have not been able to take place.

Q80 **Stuart C. McDonald:** This is my final question. Almost exactly a year ago, your predecessor told the House of Commons that the recommended pilot scheme to encourage migration to rural areas was an idea worth pursuing, and that further details would be given in due course. Why has that been ditched?

**Priti Patel:** We have been focused on the points-based system. We have one system for the whole of the United Kingdom.

Q81 **Stuart C. McDonald:** Sajid Javid said there would be a pilot scheme. Is that going to happen?

**Priti Patel:** We now have a points-based system, which will be coming in from 1 January. It is a fundamentally different system from the one that my predecessor was alluding to and discussing back then.

Q82 **Stuart C. McDonald:** It's not—it is almost exactly the same. It is exactly the same as the one that was proposed by Theresa May about three years ago.

**Priti Patel:** It is a very different points-based system.

Q83 **Chair:** We have a couple of quick clarifying questions. Can you confirm that when care workers, including care workers who are in the UK at the moment, renew their visas, they will have to pay the immigration health surcharge upfront?

**Priti Patel:** We have quite a lot of work taking place on changes to the immigration health surcharge, as you know. From 1 October we have quite a few changes coming with regards to the health surcharge. The best thing for me to do is perhaps to provide you with a timeline of those changes.

Q84 **Chair:** That would be really helpful. The thing I am trying to clarify is that, as I understand it, social care workers are not included in the health and care visa, so only people who are on the health and care visa will not have to pay the immigration surcharge upfront. That means that care workers will have to pay the immigration surcharge of thousands of pounds for them and their family upfront. Is that correct?



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**Priti Patel:** We are in the process of working with the Department of Health on the route that we are taking with care workers. As I have said before—I said it earlier and I have said it previously—we still have to identify many care workers in this complicated system, because they do not necessarily come to us automatically via an immigration route. We are in the process. I can outline that for you, because there is a great deal of work that has taken place on this.

Q85 **Chair:** I am just checking. Paragraph 61 of the points-based immigration system document says: “Frontline workers in the health and social care sector who are not eligible for the new Health and Care Visa”—that means care workers—“will pay the Immigration Health Surcharge but will benefit from a reimbursement scheme.” Can you just confirm what that sentence says—that care workers will have to pay the immigration surcharge upfront?

**Priti Patel:** NHS workers—health and social care professionals—who are not eligible for the health and care visa refund can apply for the immigration health surcharge reimbursement by the Department of Health and Social Care.

Q86 **Chair:** Fine, so they will have to pay it upfront. I just want to clarify—can you say yes or no? Will they have to pay it upfront?

**Priti Patel:** That is clear—yes, they will. But as I have said, we will outline the process to you.

Q87 **Ms Abbott:** I just wanted to ask you, Home Secretary, about the disproportionate use of force by the police against black people. The figures tell their own story. In 2018-19, 15.7% of all police uses of force related to black people, despite the fact that we are only 3.3% of the population. The rate was even higher in the Metropolitan police: 37% of uses of force were against black people, although the black population is only 13.3%. You will be aware that there have been some troubling incidents recently, including a young couple who happen to be professional athletes, who were taken out of their car and handcuffed in front of their baby, who was in the back seat.

On the particular issue of Tasers, you will be aware that, nationally, 20% of incidents in which a Taser was used involved black people. You will also be aware that in April several members of the NPCC National Taser Stakeholder Advisory Group resigned because they said the NPCC was not taking disproportionality seriously. The IOPC is also looking at this.

In September last year, the Home Office gave police forces £10 million to increase the number of officers carrying Tasers. When you made that decision, did you consider the issue of disproportionate use against black people?

**Priti Patel:** You have covered a lot of ground there, if I may say so, in one long question. First, the disproportionate use of force is always an area of concern, and rightly so. You have heard me speak today about the police exercising their professional judgment. They have professional standards. Obviously, cases can and should be referred to the IOPC if



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there are issues of concern that need to be looked at and investigated. Specifically, not just when it comes to the Taser fund itself, but all the work that we do, we constantly look at the impact across all communities. That is absolutely the right thing to do. It is wrong for us to automatically assume. I would not do this at all. I would not want to prejudge the police in terms of the situations that they find themselves in and the actions that they undertake. We rely on our police to exercise their professional judgment at all times and in every way. They are trained to do so. It is really important to recognise that. They are constantly trained, and updating their training as well.

Clearly, figures of disproportionality are of great concern. We must all not just do more, but they need to be looked at across policing, police forces, training and guidance, the NPCC, and the national College of Policing. Even the National Policing Board, which I chair, is meeting next week and will be looking at diversity in policing, and many of the issues that you are raising as well, because these issues are of great concern. It is important for us all—every community—to have confidence in policing at a local level, and that people have trust and confidence in the approach that police officers take.

**Chair:** Thank you very much, Home Secretary, permanent secretary and second permanent secretary for your evidence this morning. We look forward to the further evidence and information that you have promised us during this session. That concludes our session.