

Home Affairs Committee

Oral evidence: [The work of the Home Secretary](#), HC 434

Tuesday 17 October 2017

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Members present: Yvette Cooper (Chair); Mr Christopher Chope; Rehman Chisti; Stephen Doughty; Preet Kaur Gill; Sarah Jones; Tim Loughton; Stuart C. McDonald; Esther McVey; Will Quince; Naz Shah.

Questions 1–201

Witnesses

I: Rt Hon Amber Rudd MP, Home Secretary, and Philip Rutnam, Permanent Secretary, Home Office.

Examination of witnesses

Rt Hon Amber Rudd MP, Home Secretary, and Philip Rutnam, Permanent Secretary, Home Office.

Q1 **Chair:** I open our session this afternoon. I welcome the Home Secretary back again before us, and the Permanent Secretary, who is before the Committee for the first time. We are very glad to have you here and appreciate your time. Can I apologise that some members of the Committee may need to be in and out in order to attend business in the Chamber?

We have obviously a lot of issues that we want to ask you about today, so let me begin as swiftly as possible and ask you about some of the Brexit preparations. Can I start with the security treaty? You have said in your position paper that you want to get the new security treaty agreed by March 2019. What happens if you can't?

Amber Rudd: Thank you very much for that welcome. You are right, Madam Chairman—that is the timetable we are looking to. If I may just say the purpose of the security treaty is to allow us to have a third party agreement plugging into, effectively, the elements of the EU instruments that work hard to keep us safe. That is our plan. That is what we are making preparations for. That is the nature of the engagement I am having with my opposite numbers. We are making alternative plans in case that isn't agreed with, but I must stress that it is absolutely our intention to try to get this treaty and I am optimistic. I know that is often heard by Ministers in Government but in this area particularly, more than any other area, it really is the case that European countries are keen for us to continue to support them in the same way they support us.

Q2 **Chair:** Obviously there will be other widespread support for the idea of getting a security treaty in place. You will be aware, however, the EU Commissioner on security has said just because everybody agrees that something is the right thing to do doesn't necessarily mean it is easy, so what if, despite best intentions, it is not possible to get that agreement in place by March of 2019? What happens then?

Amber Rudd: Okay. Well, I would agree with the Commissioner on that place. It is correct that people do want to do it. It is also correct that it is not straightforward to do it, but I do believe that we can because there is tremendous goodwill to achieve it. So we will look into other pieces of legislation, some which predate the EU, which will allow us to have similar access to the sort of information and sharing of legislation effectively that will allow us to continue. You will know that the European Arrest Warrant has been effective. Things speeded up when it replaced the extradition arrangements but we could revert back to extradition arrangements. I hope they would work more quickly and more efficiently than they used to, but in my opinion, they would not be as effective as the European Arrest Warrant itself. So we are looking at all the different



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instruments to see what we would put in place in order to have that backstop should it come to it.

Q3 Chair: On the European Arrest Warrant then, if there was no deal in place on 1 April 2019, do we legally fall back on the 1989 extradition treaty or is there no legal extradition arrangements in place unless we legislate or agree for them?

Amber Rudd: That is exactly what we are looking into. The default position would be sort of Council of Europe arrangements, effectively, which are through the 1989 treaty, but we are looking into what else there would be to replace it should we have to. What I would like to say, though, is that, again, I remain committed to getting the treaty in place but we are exploring all the other options so that we have something in place should it come to it.

Q4 Chair: Of course. In terms of the Schengen Information System, that currently holds the detail of 8,000 terror suspects from across Europe. If we have no deal will we have access to the Schengen Information System?

Amber Rudd: It entirely depends on the arrangements we put in place. I would certainly hope so. I think the Schengen Information System does have an important role to play. There are, of course, other non-EU member states who do have access to it and I would expect, at the very least, to be able to do the same as them in order to be able to have continued access.

Q5 Chair: That would require some kind of deal, presumably?

Amber Rudd: It would require some sort of arrangement, yes.

Q6 Chair: If there wasn't the security treaty in place in time would that be a deal in the withdrawal agreement, or a different kind of deal that you anticipate?

Amber Rudd: It could be any of those things. Ideally we have it as part of the treaty. Otherwise you could have it as a bilateral, effectively, with the EU just on SIS, which is what some other European non-EU countries have.

Q7 Chair: If you have no deal in place at all, unilaterally what would we be able to do?

Amber Rudd: I think it is essential that we have some arrangement for accessing SIS II. I would also like to point out that I expect there are 26 other countries that are making the same comment to their Commissioners about wanting us to participate.

Q8 Chair: What discussions have you been able to have so far with the EU on this?

Amber Rudd: The discussions that I have had to date have been of a bilateral nature with other Home Affairs Ministers. They have all been



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very encouraging. As you will be aware, the EU does not want to move on to this type of negotiation formally until they are through this first stage. I have been very encouraged by the informal discussions I have had with Home Affairs Ministers, who have been very supportive of our aims.

Q9 **Chair:** We have only 17 months still to go but, so far, the Home Office has not had any discussions with the EU Commission?

Amber Rudd: The EU Commission have set their terms, which is wanting to get past this stage that we are still at before they break out into the fuller discussions on other matters. We have had informal discussions but nothing formal yet until we get through this stage. We are impatient to move on. I think it is important that we can continue to keep UK citizens in Paris and German citizens in London safe. We will do that by having better access as we leave, either through a treaty or through separate arrangements.

Q10 **Chair:** If the EU or other European countries make as a condition of us maintaining access to any of the databases or to Europol working some form of role for the European Court of Justice, will that continue to be a red line for the Government?

Amber Rudd: The Government has said there will be no direct oversight from the European Court of Justice. That remains a red line. I would expect there to be a discussion on what sort of dispute resolution will need to be put in place. There are plenty of examples throughout Europe about different countries that have put different jurisdictions in place. The Americans have access to Europol with a sort of hybrid version. There are non-EU countries that have access to SIS II through a different version. There are different examples, and I look forward to having those discussions.

Q11 **Chair:** You have made the point that you see some form of deal, even if it is not the full security treaty, being essential by March 2019. Is that correct?

Amber Rudd: Yes, but I do not want to suggest that there is any equilibrium between some sort of deal and the security treaty we are pointing out. The security treaty we are pointing out, which we are driving towards, which we have published our paper on, is by far the most desirable outcome for them and for us. What I want to reassure the Committee on is that we are making alternative preparations but we would like to put something in place so that the good arrangements we have now do continue in some form.

Q12 **Chair:** There has been discussion and speculation in the press about whether there might be no deal at all of any form. If there were no deal of any form, do you believe that Britain would continue to be as safe and secure as we are now?

Amber Rudd: It is unthinkable that there would be no deal. It is so much in their interest as well as in ours—in their communities', in their



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families', in their tourists' interests—to have something in place. We will make sure that there is something between them and us to maintain our security.

Q13 Chair: Let me turn to then the customs and immigration arrangements, again to ask you about the contingency planning. If there is no deal around customs and trade, what work have you done with HMRC to anticipate the practical consequences at Dover and at some of the other ports of having no customs deal in place?

Amber Rudd: I am sure, Madam Chairman, you will be aware that our primary responsibility is on immigration, not on customs, but we do have a special working group with my second Permanent Secretary and the head of HMRC that considers these issues, and I have regular discussions with the Chancellor to consider what can be done. The Permanent Secretary may be able to give you more enlightenment on the working group.

Philip Rutnam: We are very closely tied into the work that is being led by HMRC. Of course, Treasury and Treasury Ministers have primary responsibility for policy in relation to customs but, as the operational arm through Border Force, we are very closely tied in.

Q14 Chair: Whose responsibility is it to work out where any new checks would need to take place, for example, if there were no deal in place? Is it HMRC's responsibility? Is it Border Force responsibility and Home Office responsibility? Is it the responsibility for the port and transport? If we need to introduce or if the Government decides they need to introduce more checks because there is no deal in place, there clearly will be practical arrangements around what happens in the port. Who has the lead responsibility for making sure that the physical space and the practical arrangements are in place?

Philip Rutnam: Obviously, the lead responsibility within Government rests with the Treasury and Treasury Ministers. They have oversight of HMRC. We have an executive role through Border Force in relation to customs controls. My experience of any work at the border is that questions such as the one you have raised need to be addressed through a partnership, so typically it is a private sector party, the port or airport operator, who has control over the physical infrastructure. You need to see a partnership between the different agencies in Government, of whom HMRC and Border Force are two—there are others. DEFRA, for example, has an interest in movement of animals, food and bio products, and you need to see a partnership between the Government and the port operators.

I know that there is a great deal of work going on. Obviously we want to see a deal. We want to see a resolution that does not require us to invoke lots of contingency planning, but there is a great deal of work going on to ensure that we are prepared for all eventualities.



Q15 Chair: Given that there is only 17 months obviously to go, where does the buck stop? If somebody has the headache of finding a whole load of additional places to put containers, to put lorries, to put goods that have been seized, whose responsibility is it in the end to make sure that those locations are in place?

Amber Rudd: We will make the necessary minimum structural preparations to ensure that, whatever the outcome, we are ready on day one. It may not be perfect on day one but we will make sure that we have something in place so that we can continue to operate. The element of investment that I think would be most significant that we are looking for is in terms of technological investment, so we can make sure that we can have advanced customs preparation, as we already do for non-EU matters, should it come to that. But again, although we will make these basic preparations, our planning assumption is that we get ready for having a deal. Even if there is, as you propose, no deal—there are different variations of no deal—we will make sure that we have some planning for both.

Q16 Chair: Of course, but I want to still keep exploring the contingency planning for if there is no deal, and I am still unclear about which Department or which agency has ultimate responsibility for making sure that the physical infrastructure, the place, the people and so on, are in place if there is no deal.

Amber Rudd: It will be both of us. It will be us and HMRC and Treasury.

Q17 Chair: Okay. Border Force is responsible for securing goods where duties have not been paid or where regulations are not met or if the goods are illegal, so do you anticipate increasing the number of Queen's warehouses to hold additional goods that might need to be secured or do you think you have enough to cope in the worst-case scenario?

Philip Rutnam: We are obviously focused, first and foremost, on securing a deal. We are doing a contingency plan for all eventualities, so we are looking at all the resources—including storage—that might be needed to deal with a range of scenarios. We are trying to think about this problem in relation to all the dimensions that are involved. The primary thing, of course, is to secure the deal and in order to get the best possible result, whatever the outcome we have, we need to be working very closely in partnership with HMRC and with the private sector.

Q18 Chair: Shall we take it as read that you are working as hard as you possibly can to get a deal? We all hope that you will get a deal and that that will be sorted out. However, my questions are purely about what happens if there is no deal and what kind of contingency planning is taking place. Are you confident that you have enough space in the Queen's warehouses that you have at the moment to be able to secure any of the goods that you might need if there is no deal in place in 17 months' time?



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Philip Rutnam: We are in the process in fact already of reviewing our Queen's warehouses and reviewing the stock of property that we have. That is one of the questions that we will be taking into the review of Queen's warehouses.

Q19 **Chair:** In terms of the staffing needs that you might have, what immigration checks would you need to carry out at the border if there is no deal in place?

Amber Rudd: Well, Madam Chairman, as you will be aware, we have made preparations for registering EU citizens in the UK, and we have said that during a transition period we would also expect for the people coming to be able to register. That will be the case irrespective of whether a deal is in place. Our plans for immigration will hardly be impacted by whether a deal is in place or not, because we are making those preparations now in order to give security to the 3 million who are here and in order to have a policy and a process up and running from the end of March 2019.

Q20 **Chair:** So on either scenario—deal or no deal—do you anticipate additional immigration checks at the border?

Amber Rudd: We are already recruiting additional people to help with the preparations we are making for leaving the EU but, as you rightly put it—deal or no deal—that involves the same status that we are embarked on now anyway, in terms of recruiting extra people to make sure that we can have the preparations and the staff in place when the registration starts at the end of next year.

Q21 **Chair:** What is the scale of the additional recruitment that you are doing and the additional staffing that you are getting in place?

Amber Rudd: We have already recruited 700 caseworkers dealing with European caseworkers, and we are in the process of recruiting another 500 by next April to ensure a system for registering European nationals is ready by the end of next year. We will also be looking to recruit further staff in the coming years.

Q22 **Chair:** You currently have staff of the UKVI of 6,500 who deal—according to your website—with 3 million applications of different kinds every year. Your estimate of registering of EU citizens: how many applications over this two-year transitional period are you anticipating you are going to have to deal with?

Amber Rudd: We hope that our system will be up and running by the end of next year, 2018, and we have already stated that we would expect people to start registration from then and then they have during the transition period to do so, so that is three years.

If I may just say, this is going to be a completely different system to the type of systems that people are used to using. The default position on the registering for these 3 million—we will be able to access information from



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HMRC, from DWP, with their permission, in order to make it very straightforward, very clearly aligned online to be completed—they will be accepted for it unless there are fraud issues or unless there are criminality issues. So, although we are tooling up with extra staff, we expect the vast majority of people when they register to be able to do it very simply online.

Q23 **Chair:** Again, how many EU citizens are you expecting to have to register? How many EU citizens do you estimate are in the UK at the moment?

Amber Rudd: Just over 3 million is what we estimate.

Q24 **Chair:** Are you confident that those additional 1,200 members of staff that you referred to—the 700 and then the further 500—will be sufficient to smoothly register just over 3 million people in less than three years?

Amber Rudd: It will be all about having a system that is as effective and as easy to use as we hope it will be. We believe we can do that. We are making sure that we have careful external assurance on the preparation of it that we are going to be testing it, rolling it out in stages to make sure that we get it right. But we will be nimble on our toes, Madam Chairman, to make sure that we recruit where necessary so that we keep it smooth flowing as people go through it.

Q25 **Chair:** You will appreciate there is some scepticism—

Amber Rudd: I do.

Chair: —about the Home Office's capacity, based on the Home Office's record, to be able to process this many cases given that, for example, we heard last week from a series of immigration lawyers who are dealing with the Home Office at the moment, and also from the former head of Borders, and the former Immigration Enforcement chief, that in fact the permanent residence application, which EU citizens are still continuing to complete at the moment, has over 80 pages, for example, that have to be filled in or have to be gone through in order to apply for permanent residence, and no clarity about whether the permanent residence will be able to be transferred swiftly into reaching a settled status. You will appreciate there is some considerable scepticism about the Home Office's capacity to deliver.

Amber Rudd: The permanent residence document is a completely different document to what we are proposing and, if I may, nobody had to complete all those pages, depending on what your particular needs or family situation was. We want people to be able to use this system as straightforwardly and as easily as they can on so many other matters when they go online to register their details. It will be completely different in terms of its user friendly ease.

In terms of your question about permanent residency and then going on to this system, we are going to make sure that, again, they get easy



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access to it, that there is a very simple way, they don't have to complete the same amount as if you had not done permanent residency before. We are in the business of making sure this is as simple and straightforward as possible.

Q26 **Chair:** If people don't have the registration documents, even if they have in practice been here for more than five years, will they be illegally here?

Amber Rudd: That will depend on the final outcome of any negotiations that we have with the EU.

Q27 **Chair:** If there is no deal, will EU citizens here already still be able to stay?

Amber Rudd: I think we have made it clear that we are setting up arrangements for EU citizens here to be able to regularise their status, where they want to, with a new settled status description. It is called settled status of the type of residency they will have. Part of what we are trying to do is to show that we can do this better by having a simple application form and by putting certain advantages in it for them. So, for instance, European citizens who want to get the equivalent, which is like indefinite leave to remain now, have to show that they have health insurance. We will no longer require that. It has always been an anomaly for the UK where we have the National Health Service, so from their point of view I hope that EU citizens who can now access this new system by the end of next year will find the settled status an advantage. That will be available to them to access with or without a deal with the European Union.

Q28 **Chair:** If they haven't completed that process, if they haven't applied and haven't got those documents or the Home Office has not provided them with the documents—and you will appreciate there is very considerable concern about the Home Office's error rate in dealing with many of these cases—in those circumstances, will they be treated as illegal residents?

Amber Rudd: I do not accept that there is a particularly high error rate. I do accept that for every person where there is an error—and there have been some individual cases—it is very upsetting. It is upsetting for individuals, for families, and we will always do our best to make sure that we correct them where they have taken place. I do want to point out again that this is going to be a very straightforward system for people to apply to; to go online, to put themselves forward for settled status if that is what they want. It is completely different to the permanent residency applications that you have described, and I hope that people will accept that and be able to do it—Madam Chairman, you have referred to documentation—largely without any documentation changing hands at all. It is our intention to make it entirely online if that is what the individuals want. We are recruiting additional people to make sure that, where people cannot do it all online, where they have questions, they can come back to us.

Q29 **Chair:** There remains a serious question about what their legal status



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actually is. If they do not have those settled status documents in their hand, because the Home Office has not sent them to them or has not given them or there might be some error in the system, or maybe they put in a partial application and so on, however they have in fact been resident in Britain for more than five years, will they still have legal status here or not?

Amber Rudd: We will set that out in our documentation that is forthcoming. We have our White Paper coming out on immigration by the end of the year. Some of that information will be in there.

Q30 **Chair:** All right. That does raise some quite considerable concerns and will raise a lot of concerns for people who will feel that, even if they have done the right thing and they have done everything that was asked of them, that they may still be regarded as illegally resident in the UK, even if in fact the problem was at the Home Office.

Amber Rudd: They will not be illegally resident in the UK if they have, as you have suggested, completed the registration form as they have been asked to do. They may not have been sent anything in terms of an ID card because we hope to make it entirely online, but we hope to be able to confirm to everybody that they will have received that in order to reassure them that they are welcome and they can have their settled status.

Q31 **Chair:** The Prime Minister was not able to confirm whether, if there was no deal, EU citizens here already would still be able to stay. Can you confirm that, even if there is no deal, EU citizens who are here currently contributing to our country will be able to stay?

Amber Rudd: I think what would be a mistake for me to make is such a unilateral declaration, given where we are with those negotiations, as you are well aware, Madam Chairman. There are final negotiations taking place at the moment about what particular terms are going to apply to EU citizens in the UK and UK citizens in the EU, such as UK citizens being able to move from one country to the next in order to work. I am sure that you may know, as I do, people in Luxembourg and Brussels to whom that is incredibly important. I would like to reserve my position on this rather than making any further statement on that, so that those negotiations can continue to the advantage of other people.

Q32 **Chair:** In what circumstances would you say to EU citizens who are currently resident here that they should not be allowed to stay?

Amber Rudd: The EU citizens who are currently here will have the opportunity to register by the end of next year in order to regularise their status. What are still under discussion are elements to do with whether they will have family reunion compared to EU citizens under EU free movement directive or EU citizens under UK legislation. Those elements are still to be decided. But until those moments are decided we cannot give that unilateral declaration that you are asking for.



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Q33 **Chair:** Are you saying that it is simply the family entitlements that you are not prepared to guarantee but you are prepared to guarantee that people who are here themselves can stay, or are you not even prepared to provide that reassurance that people who are here themselves can stay even if there is no deal?

Amber Rudd: I am not prepared to use the language you are asking for, because I know that there are negotiations taking place now and I want to give them the best chance of completing to get the best outcomes.

Q34 **Chair:** In which case let me ask you the question again: simply, for those who are here currently—although very important, put aside for a second the issue about their family arrangements—in what circumstances would you say to them that they cannot stay?

Amber Rudd: I cannot envisage that there are such circumstances because the Prime Minister has stated, as I do, that they are welcome to stay and that they make an important contribution to the country. I think it is unthinkable.

Q35 **Chair:** So you think that it is unthinkable that you would say to EU citizens who are currently here that they cannot stay. However, you are not prepared to say to them that they can stay.

Amber Rudd: I think it is unthinkable that they would be asked to leave, but you ask for the sort of guarantee that I think is unwise at a moment of negotiations with the European Union.

Q36 **Chair:** But if you are not prepared to guarantee it, how can it be unthinkable for you? You are presumably prepared to think about the possibility in which you would ask them to leave, otherwise you would guarantee it.

Amber Rudd: I am very keen to send out the type of positive message to EU citizens who are in the UK that they are welcome here and that we are stretching every sinew to reach a final agreement with the EU to give them the sort of guarantee that you are reaching for.

Q37 **Chair:** I would just say to you I think, Home Secretary, that for a lot of EU citizens currently resident in this country, if being able to give them a positive message but not say to them that they will be able to stay, even if there is no deal, will not sound very positive.

Amber Rudd: I have said to them that we will set up a system by the end of next year that will enable them to apply for settled status, which will be easier, more straightforward and more generous, in many ways, in terms of what they have to send in to us, than is currently available. I hope they will hear that loud and clear. That it is a way of making it clear to them that we want them to stay, that we welcome them, and that it will be more straightforward than it has been before.

Q38 **Chair:** You have one more chance to say. I think that setting out what the bureaucracy is will not be reassuring to people. The issue for them is:



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if there is no deal, will they be able stay? Yes or no.

Amber Rudd: I fully expect under those circumstances for EU citizens to be able to stay. Once the immigration paper is up by the end of the year, I hope there will be more evidence there, and once our online easy-to-use system is up by the end of next year, they will see that confirmed.

Q39 **Chair:** I think you will continue to be asked about this question. Let me just ask you one final question before I bring other members in. In terms of additional staffing at the border that may be additional combinations of Border Force staffing, customs staffing and other staffing, in order to deal with the no deal scenario, you will clearly need additional staff at the border if you have potentially additional checks that need to be made or additional goods that may not be compliant with checks or things that they maybe should have done earlier in the system. At what point will you make the decision? What is the trigger point for making the decision that those staff will need to be recruited?

Philip Rutnam: Can I comment on this? We are already about to start recruiting 300 additional Border Force officers, additional staff at Border Force, in order to ensure that we have them in place by September next year. This is to ensure that we can deal with the consequences of leaving the European Union with a deal or without a deal. So, even in the “with a deal” scenario, we will need to have trained all our Border Force staff for any changes in procedure, any changes, even quite small changes, in the way in which we interact with goods and passengers coming in, and we are on the verge of recruiting 300 staff so that we can go through that training cycle between September 2018 and March 2019.

Q40 **Chair:** Do you anticipate that that 300 will be sufficient to cope with any contingency if there is no deal or, if there is no deal, might you need to recruit some more at some future point in the next 12 months?

Philip Rutnam: We certainly think it is a sufficient decision for now. We will obviously continue not only to seek to reach a deal but continue to keep our contingency planning under review, so I cannot exclude the possibility we will come back to the number of staff that we need in the future but, at the moment, we are taking a decision—a timely step—to recruit an additional 300 staff.

Q41 **Chair:** If you did reach the position of no deal, would the no deal scenario require additional staff on top of that?

Philip Rutnam: I cannot rule out that it would but, as the Home Secretary said earlier, there is a range even of no deal scenarios, and I think we would want to come back to that question when we knew more about it. I just want to reassure you, of course, that we are actively planning for contingencies.

Q42 **Chair:** You are recruiting now in order to have people in time for September. What is the trigger point on this? When is decision day? If you have to prepare for no deal in March 2019, at what point do you



have to make the decision in order to get additional staff in place?

Philip Rutnam: There isn't a particular date that I can name, but I reassure you that we will keep this actively under review through the remaining months of this year and through, certainly, the first half of next year.

Q43 **Chair:** Normally when the Home Office does not have sufficient operational contingency in place, certainly in previous areas—for example G4S failures to do the checks at the Olympics; Operation Temperer and serious terror threats for armed policing—the Home Office has turned to the Army for additional contingency. Do you rule out having the armed forces present at the border in order to deal with a “no deal” situation?

Philip Rutnam: If I may say so, I think those the situations that you have identified from the past are very different. Operation Temperer is a well planned and well developed piece of contingency planning, which we have seen invoked a couple of times this year, which is very specifically designed to cope with a certain situation when the threat level increases, so I would not regard that in any sense whatever comparable with what happened in relation to G4S and the Olympics. In fact, I would point to Operation Temperer as a very good example of how the Government, not just the Home Office but working with colleagues in the MoD, can prepare for difficult situations and prepare for contingencies very well.

Q44 **Chair:** Sure. But there are obviously planned contingency arrangements and then unplanned last-minute contingency arrangements, as was required with the G4S problems for the Olympics checks. Whether it is in planned or in unplanned, there have been examples in the past where the Home Office has turned to the Army as part of that contingency response. My question is this: might the Home Office and HMRC end up turning to the armed forces in order to provide border checks if there is no deal in place and sudden additional capacity is required, or are you able to rule that out?

Philip Rutnam: It would be unwise to rule anything out, but it seems to me clear that any use of the military would be a last resort. Our strong preference is to deal with the security that is needed at the border through Border Force, and that is the basis on which our planning is proceeding.

Chair: Thank you.

Q45 **Tim Loughton:** Home Secretary, notwithstanding whether we have a deal or no deal or somebody has opened the box, what do you think the relationship with Europol will be post-Brexit to be completed?

Amber Rudd: I am optimistic that we can reach a treaty with the EU, which will include Europol, European Arrest Warrants, and the various structures and databases, a lot of which the UK has designed and shared with the EU—we actually trained some of the countries in the European Union to use them effectively. I am optimistic that we will have a very similar arrangement if not largely identical, but from the outside. We



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have a third-party treaty effectively plugging in to be able to access all these different elements, and Europol will be one of them.

- Q46 **Tim Loughton:** Is the European Arrest Warrant contingent on that, or could it be separate? We might not have the European Arrest Warrant but we would have similar terms to what we have now as an outside member.

Amber Rudd: In theory we could do that. It is the simplest way, which is still quite complex but the simplest way we can do it is to have one outside treaty accessing all these different elements. If it comes to it we could have a sort of patchwork of different access to different elements, like the European Arrest Warrant, like Europol, but our preferred way is to have full access. I must say that, in my conversations with Home Office Ministers across Europe, they are keen for us to do so. The UK is one of the biggest contributors to Europol. That is widely acknowledged and the UK provides additional support on starting up initiatives, like Prüm, which is about fingerprinting, helping to keep European citizens safe. In fact, 100% so far of my conversations with Home Office Ministers across the EU has been wanting us to participate and wanting to help deliver on this.

- Q47 **Tim Loughton:** What difference would there be between what you are describing and the current associate member status of countries like America or Australia?

Amber Rudd: Well, America has access to Europol but not the full access that we currently have as original contributors. We sit on the management board in the way they don't have the same authority. I would hope that we will be able to replicate, to a large degree, what we already have: a much more engaged, dynamic relationship. If we have this treaty in place, which is, as I said, our preferred option, it would be dynamic so that as each of these instruments develop the UK continues to influence, continues to have a role so that we can make sure that we get the best out of them.

- Q48 **Tim Loughton:** What does America not get that we currently get and you think we would continue to get, other than sitting on the management board, which I presume we would not be able to as not being full members of the EU?

Amber Rudd: I don't rule that out, in terms of being on the management board. But you are right, our EU colleagues may. That will perhaps be part of a negotiation. We are just better embedded in Europol. We share more information and we have access to more information, so I would hope that we will be able to continue to do that.

- Q49 **Tim Loughton:** But we do not have access to more information, do we, because the information that Europol has remains the property of each individual country, so any other member of Europol is at liberty to withhold that data to any other member of Europol or, indeed, outside associates, like America. So what is the difference?



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Amber Rudd: I believe, but I am not entirely sure what America's access is, that we have a deeper access and wider access than they do as an original member.

Q50 **Tim Loughton:** Have you had any advice that security would in any way be compromised by us not continuing as full members of Europol?

Amber Rudd: The advice I have received is that it is in the UK's interest to have as close as possible a system as we have now, in terms of access to Europol and the other systems, and that is what we are setting out to have in the treaty.

Q51 **Tim Loughton:** Okay. But the question was: has anyone advised you that, as a result of Brexit, and us therefore not being able to be full members of Europol, our security will in some way be compromised?

Amber Rudd: It depends what it is replaced by. If you believe, as I do—and I expect the Committee does—that Europol helps to keep UK citizens safe, it is important to replace it with an equivalent system. That is what we will aim to do.

Q52 **Stephen Doughty:** Home Secretary and Permanent Secretary, you have both talked about various contingency plans being made, extra uplift in staff and so on that is already happening, and that is before we get on to the things that you might have to do over the next 12 months. How much has already been spent by the Department on contingency planning and how much do you forecast to spend over the next 18 months?

Amber Rudd: We have received an additional £50 million from Treasury in order to cover the additional costs, some of which we have set out for you, which will go ahead as we leave the European Union. That is largely to do with preparation for registering the existing EU citizens in the UK and preparation for the system that we will need for registering EU citizens coming to the UK to work after we leave.

Q53 **Stephen Doughty:** Does that cover these extra Border Force personnel being trained up as well?

Amber Rudd: Yes, it does.

Q54 **Stephen Doughty:** Okay. Are you going to ask for an extra amount from the Treasury potentially?

Amber Rudd: That is for this calendar year.

Q55 **Stephen Doughty:** What do you expect it to be for the next calendar year?

Amber Rudd: We are looking at that over the next few months. We haven't yet arrived at a sum.

Q56 **Stephen Doughty:** But something in the same sort of ballpark you will be asking for?



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Amber Rudd: I am afraid I can't be drawn on that because we have not yet concluded those numbers.

Q57 **Stephen Doughty:** But there will be additional costs?

Amber Rudd: There is likely to be additional costs, yes. But irrespective of what type of deal we get, this is about making preparations for the EU citizens.

Q58 **Stephen Doughty:** If it looks more likely that no deal is going to be the direction we head in, are those costs going to be higher?

Amber Rudd: That will depend on the arrangements that the Permanent Secretary is working on with Treasury and HMRC, depending on the customs side. In terms of the immigration side, the people, the largest cost that we are preparing for is about EU citizens and registration and making sure we are ready for that.

Q59 **Stephen Doughty:** Also Border Force personnel?

Amber Rudd: Border Force is part of that, yes. People movement is becoming increasingly efficient because of the advances in technology. We already have quite an advanced plan of spending £380 million over the next few years to upgrade our technology at the border, improve the experience at the border, make sure more people can use the E gates, and that investment, hopefully, will allow the free flow of people, irrespective of our outcome with the European Union.

Q60 **Stephen Doughty:** You said earlier on that it may not be perfect on day one.

Amber Rudd: Yes.,

Stephen Doughty: Are you telling the public to potentially avoid travelling around the date of Brexit or otherwise?

Amber Rudd: Certainly not. I am making no such suggestion. My reference to that was in terms of the Chair's question about having no deal on Customs on day one. In terms of immigration, we will be as smooth, as effective and as efficient as we always are.

Q61 **Stephen Doughty:** But the reality is, of course, individuals and goods travelling with them are going through the same points, as we all know when we go through border points at Dover and elsewhere. Isn't there inevitably going to be a knock on if, for example, we were in a no deal scenario but even with some of the other options that are being looked at?

Amber Rudd: For people, in terms of movement, there will be little change as long as we get our estimates right, as long as our technology is right and working correctly, irrespective of any of the outcomes.

Q62 **Stephen Doughty:** There are a lot of caveats, Home Secretary.



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Amber Rudd: I do think the challenge is much more on goods. That is why the Permanent Secretary is working with Treasury on the customs issue, in terms of the policies and in terms of the preparations.

Q63 **Stephen Doughty:** So avoid travelling with goods around exit day perhaps?

Amber Rudd: I don't think they meant your suitcase, Mr Doughty.

Q64 **Stephen Doughty:** Okay. Right. We spoke about the armed forces and the potential for them coming into support. Isn't it the case that already the armed forces train with Border Force to provide support to operations, so there is already contingency in place and it is likely that could be used? It is at least theoretically possible it will be used?

Amber Rudd: There are no such preparations in place.

Q65 **Stephen Doughty:** But training does go on between the armed forces and the Border Force to provide contingency and support?

Amber Rudd: The only training that goes on is for exceptional circumstances of the type we very rarely see but in normal course of business it is entirely Border Force.

Q66 **Stephen Doughty:** I have observed the training myself, so I do know that it goes on. Perhaps, Permanent Secretary, you could say a little bit about the nature—are we making those sorts of preparations?

Philip Rutnam: As I tried to make clear earlier, our intention is to deal with the issues at the border; our role in relation to the border, in terms of managing and checking the movement of goods and people, is through Border Force. That is absolutely our intention. That is the basis on which our contingency planning is proceeding.

Q67 **Stephen Doughty:** Okay. Earlier on today I met with representatives, workers, from Rolls Royce facilities, obviously working in very technical occupations, imports particularly of temporary agency workers. They told me that hundreds of people are moving back and forth every day—British citizens—going to their plants and operations elsewhere in the EU and vice versa, often accompanied by, for example, parts and goods and other things. What assurances can you give them that they are going to have the same freedoms and flexibilities that they have now to ensure the competitiveness of their industry going forward?

Amber Rudd: What I would say is that we are committed, as a Government, to making sure that we have no cliff edge, that we support businesses, that we negotiate a deal that allows exactly that sort of element to continue, so that Rolls Royce can continue with those transfers of materials and of people. We know how important it is to them and that is what we are going to try to achieve. Those negotiations, as you are aware, are ongoing but in terms of our plan that is exactly what we are going to be looking to do.



Q68 Stephen Doughty: So you think that the talk of “no deal” that is coming from some ministerial colleagues is helping provide that level of certainty to their businesses?

Amber Rudd: I still think it is highly unlikely that we will go to that scenario. It is absolutely right that Government is prepared for that and we make plans just in case but, in terms of the most likely outcome, we are making sure that we make it clear to businesses, to people, that our plan is to try to have a deal that will enable the sort of transfers that you have just been describing to me to continue.

Stephen Doughty: Okay. I have some questions on policing but we will come back to those.

Q69 Naz Shah: Home Secretary, I was at a meeting last week in Parliament with regard to your predecessor’s commitment to a public inquiry for the undercover police review. Could you give me your commitment that you are committed to that inquiry, because there was some serious concerns raised about the funding being reduced and it is being kicked into the long grass? There are lots of concerns, certainly, by victims that I met last week.

Amber Rudd: No, I am committed to that inquiry to continue. Of course, I was involved in the changing of the chairman, which was necessary. I have also met with victims in order to try to reassure them that we remain just as committed and it is absolutely essential that we get to the bottom of this and satisfy them that we have done so.

Q70 Naz Shah: Thank you very much.

On visa fees, many of my constituents who have had their visa applications rejected have raised the concern that the Home Office is charging up to 800% more than it actually costs to deal with the visas and it is a bit of a racket, if you like. With the changes to rights to appeal, in particular, rejected applications based on technicality, we deal a lot with that. The ongoing costs for someone who needs to reaffirm their rights to remain are extortionate really and continuing to apply, so is there a chance that you could refund the ones that are rejected for technicalities?

Amber Rudd: I am sympathetic to your question. I think we have made some improvements, in terms of engaging better with people whose applications have an error on them that is easily put right or could be a technicality in order for them not to lose their money outright. But in terms of the costs of it, I think it is right that people who are applying should pay for it. Either they pay for it or eventually the taxpayer pays for it, so I think it is right that the people who want this benefit should be able to apply for it, but we can always look for improvements to make sure that they don’t feel that they are hard done by on the way through that journey.

Q71 Naz Shah: The question is about whether the Home Office is making a profit in charging 800% more than what it costs. That is the main issue.



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Amber Rudd: Well, no, I don't agree with that. The charges of it help to cover other costs around visa applications, such as enforcement. It is true it makes a contribution to the whole area rather than just the one element of the application.

Q72 **Naz Shah:** Thank you for that. Moving on, and I have asked this previously to yourself and the Met Commissioner: MQM, Altaf Hussain, inciting violence and terrorism from our British shores, lives in London, makes speeches, incites violence, which led to lots of killings in Pakistan. This happened last year and I have not heard anything about this investigation. Why has it taken so long?

Amber Rudd: This is obviously an operational matter. I am aware and I get lobbied quite a lot if I go to Pakistan or to other countries about this, and I am making sure that the Crown Prosecution Service and the Met Police have the support they need in order to make sure that they can, where appropriate, bring the prosecutions.

Q73 **Naz Shah:** Thank you for that. On hate crime, the figures released today from your Department show hate crime recorded has increased by 29% but prosecutions have decreased. This would suggest that your hate crime strategy is failing. How are you responding to this?

Amber Rudd: I had seen that the prosecutions have reduced, and that is unwelcome. We have taken action to see what else we can do to support the whole hate crime agenda to make changes, and one of them has been to set up a hate crime hub, so that it can triage the hate crimes and send them out to the right people to prosecute them. I think that will help raise prosecution levels. Those rises in hate crime were very unwelcome, as we saw today, and they were specifically around the terrorist attacks that we have seen this year. That is something we have been aware of but it is instrumental in terms of learning from it, to make sure that the voices that come out immediately after terrorist attacks can absolutely address the issue of hate crime. It is really unwelcome but that is what has been happening.

Q74 **Naz Shah:** While we are talking about terrorist attacks, you might recall last time you talked about the Henry Jackson Society and its director making speeches about Islam, and certainly three weeks before the Finsbury Park attack, he was quoted as saying there was less Islam, and I quoted lots last time, but three weeks later we had the Finsbury Park Mosque attack. Would you now consider that as hate speech?

Amber Rudd: I would have to look at that in order to give that a full answer. What I would say is that I take Islamophobia just as seriously and after the Finsbury Park Mosque attack we did issue some new guidance or additional money that was made available to protect mosques. So any sort of hate, any sort of terrorism, is unwelcome and we will make sure that we take action to support everybody in the community.

Q75 **Naz Shah:** Thank you. Finally, you may be aware of the Seeta Saini



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case, and certainly the case that I have been working on around Samia Shahid. One of the issues about the Seeta Saini case is she was taken to India and murdered and the campaigners are really concerned that the new law and new Bill that you might be putting through, in terms of extraterritorial powers, might not cover residents who are habitual residents as opposed to British nationals on our shores. Would you be prepared to meet either the family, or certainly the campaigners, to look at when we do put this Bill in to make sure that people are prosecuted if they are planning to murder somebody and taking them from here, regardless of what their status is in terms of—

Amber Rudd: Could I suggest in the first instance I meet with the hon. Lady and we discuss it so I can see how to take it forward?

Naz Shah: Thank you.

Q76 **Sarah Jones:** The number of young victims of knife crime is increasing and it has been going up since 2013. The age of carriers is going down, so we have 11, 12, 13 year-olds routinely now carrying knives and involved in criminal activity. In London the number of victims of serious youth violence has risen by 50% in the last four years. We saw 1,234 young people stabbed in London last year. The budget for the Government's programme ending gang violence and exploitation this year is £99,000. Do you think that is enough?

Amber Rudd: The rise in knife crime particularly, and violent crime in some areas, is something that we need to address and the Home Office are very aware of it. It is a complicated problem. The hon. Lady is right, the ages of the perpetrators particularly has been falling, particularly in terms of knife crime. I have been working with the Department for Education to find out what else we can do to stop young people carrying knives. What else are the drivers for the reasons they are carrying them. One of the things we have set up is a new community fund of £500,000, so that communities can apply for support, particularly to work on early prevention.

This is an area that we take very seriously, that I am working on with the Department for Education. I have spoken to the Met Commissioner about it. I don't think there is one answer unfortunately, I think that we need to consider very carefully what else we can do in this area, but I would like to reassure the honourable lady that I am committed to it. In terms of gangs, that could be one of the areas. I will look carefully at the suggestion that she is making.

Q77 **Sarah Jones:** Thank you. Given the scale of the problem and given the impact that it has and the causes that come from all kinds of funding problems that we have, I think £99,000 probably is not enough to be tackling this problem and perhaps the Home Office should be taking the lead. Although lots of other agencies should be involved, the Home Office should be taking the lead. Just to follow up on one point you made and to ask another question, the fund that you referred to—the £500,000 fund—



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I think people have two weeks to apply for that. I wonder if you could consider extending that because certainly organisations that I know who want to put in for that are going to struggle. The second is that the work of that programme, the gang violence exploitation programme, is largely to complete audits in local areas. Can you confirm that only four local authorities have signed up for this audit this year?

Amber Rudd: I am afraid I do not have the answer to that final question, but if I may I will come back to the hon. Lady on it. Also, on the matter of the application for the community fund, I think I will just see how many applications have come in before extending it but I will certainly let you know.

Q78 **Sarah Jones:** I think you only announced it this week—

Amber Rudd: No, I announced it a few weeks ago, actually. You are right that it has only just opened but it has been announced for a while. I keep on talking about it, though, to encourage applications but I will find out before coming back to you.

Q79 **Sarah Jones:** Okay. Thank you. County lines is a growing problem. I have spoken to lots of organisations who are very worried about the number of young people who are now being exploited. I think 80% of police areas now say that this is a big problem. One of the problems is that there is no joined up approach across police forces. Can I ask when your promised national missing persons register will be published because that is something you have committed to and that would really help, and we have not seen it yet?

Amber Rudd: On the regional element, we have regional organised crime units that do work specifically on county lines areas as well. I have visited a few of them. They are effective at making sure there is joined-up working between the police forces when, particularly, underaged people are moved around. It is a shocking development in terms of gang activity and drugs movement.

In terms of the national missing persons register, I will have to come back on that. Thank you.

Q80 **Sarah Jones:** Moving on to social media, there is plenty of evidence from the police and other organisations of videos on YouTube, Facebook and others that show gangs inciting each other to violence and things that encourage people to get involved in criminal activity. I met with Google recently, who own YouTube, and they said that they would not tell me how many people they employ to monitor YouTube. Do you think they should publish that information?

Amber Rudd: I have been over to Silicon Valley to talk to YouTube myself. The area that I am particularly focused on is on counterterrorism on their websites. There is 400 hours of YouTube video put up every minute, so getting them to commit to taking down stuff can be done but it is part of such a wide picture. I certainly think that they should be as



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transparent as we ask them to be, in terms of how many people they recruit. I do not have that answer to hand but if I may—another subject I will come back to you later—I will see what they have said to me about the amount of people that they have recruited to take down information.

Q81 Sarah Jones: They say they don't publish it. Facebook does but YouTube doesn't.

Amber Rudd: They have quite an effective trusted-checkers type system whereby they have quite a lot of people—I do not know how many it is but I think it is in the hundreds—who can automatically take things down and that is quite effective for making sure that they trawl these hundreds of hours of videos that go up.

Q82 Sarah Jones: Given the focus that there is, quite rightly, on hate crime and extremism, and the appearance of that on social media channels, can I ask that when you talk to these companies you also talk about the serious youth violence and that element of the problem as well, because I think it is just as serious and doesn't receive the attention that it perhaps should?

Amber Rudd: I raised with them terrorism but attached to terrorism is also, quite often, organised crime so that will form part of it at that level.

Q83 Sarah Jones: Okay. Given that there is still a lot of content on there that they do not take down and it often takes a long time to get the content removed, do you think that they are not perhaps employing enough people to monitor? Do you think the time has come for Ofcom or others to regulate them in some way?

Amber Rudd: I am interested in outcomes. How do we get the best results to stop that material going up? I believe the best way to do that is to put pressure on them to invest, through artificial intelligence or through machine learning, so that that material gets taken down immediately, within an hour, or does not go up at all. They have already made a lot of progress on the child sexual abuse material, so most of that that could go up does not go up because they already have tags that they are able to use to ensure that it does not. There is still so much more to do but I believe the best way to do it is to engage with them to make sure that they do it themselves.

Q84 Sarah Jones: Final question from me. Going back to immigration, when you were talking about the new European system for EU citizens, you said that you wanted it to be completely different in terms of user friendliness, and that you were in the business of making it as simple as possible. On behalf of all my constituents who are trying to get visa applications done and having to pay hundreds of pounds to solicitors just to work out which form they should fill in, I ask that you apply the same simple approach to the rest of the immigration system because it is hugely complex and people are spending lots of money and lots of time and lots of stress trying to get through the system.



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Amber Rudd: I completely agree with you. I have already requested the Law Commission to review our immigration laws with a view to simplifying them. There were 20,000 different pieces of regulation for non-EU regulations and we have now got them down to 4,000. It is incredibly important—I share your frustration—and this is a personal mission of mine to make sure that we simplify the immigration so that your constituents and mine can use it in a more user-friendly way and that it can just be clearer for people where they can and where they can't apply.

Sarah Jones: Thank you.

- Q85 **Esther McVey:** I wanted to look at fraud, which is now the most common crime in the country, with over 3.5 million cases in England and Wales until September 2016. In particular, online crime now affects one in 10 people. So given those numbers, is online fraud and fraud getting the priority it needs, considering only 27 out of the 41 Police and Crime Commissioners referred to it in their crime plans up to April 2017?

Amber Rudd: I do think we need to make sure that it is higher up on their agenda. You are absolutely right. You are 20 times more likely to be a victim of crime online than offline. We need to make sure that more attention and effort goes into looking after people online. So there are a number of initiatives we are working—the Joint Fraud Taskforce is one of them—to ensure that we get the private sector to work more closely with us, particularly on online fraud, particularly on stopping elderly people having money taken away from them.

We recognise the challenge and are going to try to take more action and raise it higher up the agenda for Police and Crime Commissioners.

- Q86 **Esther McVey:** So I think the Joint Fraud Taskforce was welcomed in 2016, but the Committee would like to know what is its progress to date and what are the performance measurements that it stands by?

Amber Rudd: Do you want to address that?

Philip Rutnam: I will, as it happens, be talking to the Public Accounts Committee about online fraud tomorrow, because the National Audit Office recently published a very helpful report on it. I think you are quite right that the Joint Fraud Taskforce is a very important and welcome innovation, a very important and welcome step, critically, by bringing together the Government and law enforcement. It began with the financial sector, the banking community, but it talks now about extending to retailers and in time it will extend, I am sure, to telecoms companies as well.

The National Audit Office raised the issue of a better set of performance metrics, and that is something that we will be looking at and hoping to respond to shortly.



I think Joint Fraud Taskforce is making some very good progress. I don't know whether you may have noticed recently—if not, I hope it will be visible soon—the Take Five campaign, which is a consumer-focused campaign aimed at raising people's awareness of the steps that individuals can take to protect themselves from online fraud. We have actions due to come from the financial sector around helping to make it easier for people to recover funds, where they have lost funds through online fraud—what is known as funds repatriation. It is a complex topic that requires joint action by the financial sector and by Government. We are also working very closely with the financial sector on what is the future development of essentially credit and debit cards, to protect them better against fraud, and, in particular, what is known as the card-not-present fraud, which is the single biggest category of online fraud.

Some years ago, joint action between Government and the financial sector introduced chip-and-PIN, which was a very important protective step that helped to reduce the level of fraud. We now need a new set of developments. There are ideas around what is known as revolving CVVs—that is the three digits on the back of your card—and the way in which those could change dynamically every hour or two hours. That is one type of protection. There are also ideas around what is known as two-factor authentication, so in order to complete a transaction, you would need both the card and something else, a key word or a code or something like that, delivered through a technological solution. There is a range of ideas. It is a very important innovation.

Q87 Esther McVey: Do we know the performance measures by which the Joint Fraud Taskforce is measured?

Philip Rutnam: Ultimately, the performance measure is going to be about whether we start to curb and reduce the volume of online fraud. At least now we have a statistically reliable measure of it, which we did not have before. We are in the process of developing a set of performance metrics with the Joint Fraud Taskforce.

Amber Rudd: Getting the card-not-present right and addressing that particular crime could reduce the number of crimes by 1 million—they reckon there are 1 million card-not-present crimes a year. That could be a real win in terms of protecting people. That is the one that we are really focused on at the moment. We are well supported by the private sector. MasterCard are leading on trying to make this preparation with us. I am quite excited about pulling that off. If we manage to reduce crimes by 1 million—if we can get card-not-present sorted—that would be a fantastic result for victims.

Q88 Esther McVey: Do you have a definitive number of what the online frauds are? Do the banks not deal with some of it themselves? Do you always get all the information or is that the tip of the iceberg?

Amber Rudd: We are always trying to get as much information as we can. It is true that sometimes some larger organisations are reluctant to



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come forward, perhaps for reputational issues, but we put a lot of pressure on them to make sure that they do and that we can help them if they do. I think now people are more in the habit of coming forward with what is taking place but it has been quite a torturous process sometimes, encouraging the larger companies to do so.

Q89 Esther McVey: How is working with the telecommunication and retail sectors going ahead, especially if it is dependent on it being voluntary rather than compulsory?

Amber Rudd: We had a meeting of the taskforce just last week—it was attended by all those different parties. The great thing is that it is in all of their interests to make sure that we make progress on this. Nobody wants to have fraud in their retail operation or in their banks. I do think we have a new shot of enthusiasm now, particularly with MasterCard taking a leading role, and then this focus on addressing card-not-present.

Q90 Esther McVey: Some of thing is knowing what those measurements are, knowing that it is compulsory, and how it is going forward. While they welcome this Joint Fraud Taskforce, it really is a matter of getting into the nitty-gritty and understanding that, and also looking at bank transfers, which are becoming a bigger form of crime and distress, and really ensuring the banks do pay back on that, which at the moment they do not have to do. That is what constituents are coming forward with: what are their protections and how do we enforce protection for them?

Amber Rudd: They pay back under some circumstances, but not where they perceive that the individual has participated in the fraud in some way themselves, which could even be just clicking on phishing e-mail or something. But you are absolutely right that we need to get more transparency for them, we need to get the statistics out from all of them, and we need to combine that in order to make progress.

Q91 Esther McVey: Finally—this is on the same topic but quite separate—isn't it about time that the main stakeholders and the main beneficiaries in what I call the virtual world, such as the Googles, the YouTubes and the Facebooks, looked after that space, paid for that space, and policed that space, and that they did not leave it to the non-virtual world and the police force, which can sometimes be a step behind in this age of technology?

Amber Rudd: There are already some charges that internet companies have to put up in order to cover some of these costs. I note that the Green Paper on Internet Safety Strategy, which DCMS have just published, called for them to participate and pay some charges to contribute to that. So we are already asking them to pay up and to participate, but if the hon. Lady has some suggestions about other areas we should look at, we will certainly do so. We are determined to make sure they also play their part in keeping people safe.

Esther McVey: That would be a key area, going forward, that the people who benefit from the virtual world should now be taking part in clearing it



up.

- Q92 **Preet Kaur Gill:** Home Secretary, I wrote to you recently about the £145 million cuts to the police budget in the West Midlands impacting, mostly, neighbourhood policing. While I understand the need to strengthen counter-terrorism, crime is clearly on the increase, police resources are really not available, and people are very concerned. How do you think the police funding formula should be adapted to reflect the changing pressures on police capacity? Do you think it is right that neighbourhood policing has practically been decimated?

Amber Rudd: I must say that different areas have had different responses to neighbourhood policing. Some are increasing their amount of neighbourhood policing, and some are not.

What I would say is that we know that crime is changing, as we have just been discussing. There is much more online crime now than there has been before. You are 20-times more likely to be a victim online than offline. The national police lead for cybercrime has said that although people want to see more bobbies on the beat down their streets, that does not necessarily protect the family where a 14-year-old girl is being groomed in her bedroom upstairs. We have to be aware that crime is taking a very different turn, being much more online, and in terms of some developments that we are seeing in violent crimes, too. What we have done is provide the access for police forces to bid in through the police transformation fund, so that where appropriate they can get additional support where they see the need.

Regarding the police funding formula, the funding provided to individual police forces, we have protected it from 2015 to 2020. As long as that is maintained, I hope they will feel they are getting the support they need. When you add the police transformation fund into that, it enables police forces to access additional support where crime is changing and they can find additional areas to get the support they need.

- Q93 **Preet Kaur Gill:** How much is the police transformation fund? What sort of pot of money is available?

Amber Rudd: It varies, depending on inflation. I am not sure what it is this year.

Philip Rutnam: It is £175 million this year.

- Q94 **Preet Kaur Gill:** Is that supposed to assist with the cuts to the funding? The £145 million is a huge amount of money to the West Midlands region. Are you saying that they are supposed to now bid from this pot of money to make up some of that?

Amber Rudd: No, I am not saying that. Police funding has been protected from 2015 to 2020. Crime has fallen by one third since 2010. Despite those cuts taking place in 2010 and 2015, we have still seen a



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fall in crime. I have huge admiration for the police for being able to deliver that.

The point of the transformation fund is to recognise that because crime is changing and taking a different form, there is additional money that can be accessed where police forces see that they need additional support in order to have a particular programme to deal with it. Different forces handle that in different ways.

- Q95 **Preet Kaur Gill:** Last week we had the findings from the Prime Minister's first Race Disparity Audit focusing on ethnic groups and soon after the Brexit vote, when Theresa May became the Prime Minister, we had the Hate Crime Action Plan focusing on religions.

Can you tell me why the Hate Crime Action Plan published jointly by the Home Office and DCLG in July 2016, like the Race Disparity Audit, completely ignored Sikhs, who belong to both a religious and an ethnic group, despite very high profile attacks on individuals and their places of worship?

Amber Rudd: It was the advice we received at the time regarding the different groups who were receiving particular amounts of hate crime, which we needed to address. But of course we will keep that under review and come back to it if there is sufficient cause to do so.

- Q96 **Preet Kaur Gill:** It has been reported that the draft Hate Crime Action Plan that your officials produced included a case study on the Sikh dentist who was attacked with a machete in North Wales but apparently No. 10 took this out. Is this true? Are you prepared to share the earlier draft, with that example in it, with this Committee?

Amber Rudd: I am sorry, I don't have that information. I would need to come back to the hon. Lady to see what was in the original draft.

- Q97 **Preet Kaur Gill:** Is that something I could follow up with you because it has been raised on a number of occasions with me to highlight?

Amber Rudd: Of course. I will certainly come back to the hon. Lady on it.

- Q98 **Preet Kaur Gill:** My last point: the Metropolitan Police recently drew attention to the impact of social media, particularly YouTube, in providing a platform for gang members to glorify gun crime and make threats against rival gangs. Gangs-allied crime is a concern in Birmingham. Certainly in my constituency, we have seen evidence of this. What more do you think social media companies should be doing to address this specific form of misuse of their sites?

Amber Rudd: I am aware of this and we have spoken to the Metropolitan Police about it. It is another area where gangs and violence can congregate, communicate and exchange information and it is most unwelcome. We are in touch with social media sites, particularly the ones



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that gangs are most likely to use, and we are actively working with them to find the best ways to make sure that information is taken down.

- Q99 **Preet Kaur Gill:** Do you think it is now time that the police and prosecutors need additional powers against those who brag about and threaten gun crime on social media?

Amber Rudd: The legislation is already in place. Anything that is illegal offline is illegal online. Where it is appropriate, they will bring prosecutions. One of the reasons I set up the Hub just recently was so that there could be correct triaging of suitable cases so that there can be prosecutions. There is no tolerance for that sort of hate or that sort of menacing, threatening behaviour. If it is illegal offline, it is illegal online.

- Q100 **Preet Kaur Gill:** Aren't we just relying on the goodwill of these social media companies to hopefully do what we are asking them to do? There is no real legislation where we can enforce some of this.

Amber Rudd: Legislation is there; we just have to make sure that we get the material and that we are able to take action, which is why we have invested additional support for making sure that there is a triage system for hate crime, so that they can absolutely go towards prosecution where we need to.

Chair: Stephen Doughty, to follow up on policing.

- Q101 **Stephen Doughty:** A couple of questions on policing, Home Secretary.

On capacity, the civil nuclear constabulary play a critical role in not only the work they do protecting their own locations, but also in providing that wider pool of armed capacity that can be used for temporary uplift, dealing with specific situations. Weirdly, I think because of a technical reason in the legislation of a number of years ago, they are covered under BEIS, yet they provide support to Home Office operations. They have different pension age arrangements and other differences. Do you not think it is time that they are brought under the Home Office, equalised with other armed officers, particularly given the crucial role they are playing?

Amber Rudd: They do play a crucial role. They are under BEIS, of course, because of the energy element that was there previously.

There are no such plans at the moment but we are always looking for extra efficiencies so I will take that as a helpful suggestion.

- Q102 **Stephen Doughty:** Would you be willing to look at it again, particularly given the role they are playing in that wider armed response capacity?

Amber Rudd: Often there are unintended consequences of that sort of activity. Let me take a look at it. Thank you.

- Q103 **Stephen Doughty:** Okay. Thank you very much.

Funding for capital cities: this is an issue I have raised in Parliament over



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a number of years. Cardiff, unlike Edinburgh, Belfast, or London, does not receive special additional funding for its role hosting a seat of government or major events—we have just had the Champions League and there are other major events—which obviously put an additional strain on policing resources there. Obviously we do get a lot of support from outside when those events take place.

Would you be willing to look again at the case that has been made, I know, by the South Wales Police and Crime Commissioner and others, that there should be some additional resources provided to Cardiff, given that role as a capital city?

Amber Rudd: I did have the opportunity to discuss it with the Police and Crime Commissioner when I was down in Cardiff just recently. I am reluctant to give the hon. Member too much encouragement because there are other cities and the additional money has to be risk-based. You will have seen that this year it was Manchester that was particularly badly hit by horrific terrorist activity. I am afraid I cannot encourage the Member any further.

Q104 **Stephen Doughty:** But are you looking at it or what?

Amber Rudd: I am not looking at it. We will always make sure that this sort of funding is risk based. Some of the larger cities in England have been the worst hit so I cannot see, unless it is brought to me by the counter-terrorism police, any particular reason, despite the fact that Cardiff is a fantastic city, to increase the funding there as against somewhere like Manchester.

Q105 **Stephen Doughty:** One last, very brief, question: the case of Mohammed Mirzo. It is a case that has been raised by my neighbour, Jo Stevens, MP for Cardiff Central. I know that the Chair of this Committee, and also *The Mirror*, have been running a campaign on a very tragic case of a Syrian seeking refugee status here. It is proposed that he is deported and separated from the rest of the family. I understand that he has been released today from Campsfield Detention Centre, which obviously all of us have been calling for.

Are you looking at that case, and will you look at it, to see whether discretion can be used and to make sure that he is not separated from his family and deported elsewhere?

Amber Rudd: I cannot comment on that individual case, but thank you for raising it with me.

Chair: It would be helpful if you could look at that case because it is an issue about family and what happens when there are teenage siblings, most of whom are under 18—one is over 18. They are being treated differently. It would be very helpful if you could look at that case.

Stephen Doughty: It reflects a wider issue. I have come across a number of cases like it. I think there needs to be some consistency and some compassion used in these cases where families are split up.



Amber Rudd: Thank you very much.

Q106 **Chair:** Following up on the issue about the policing resources, you will be aware, obviously, that Sara Thornton, Chair of the National Police Chiefs Council, has said, "With officer numbers at 1985 levels, crime up 10% in the last year, and police work becoming ever more complex, this additional pressure is not sustainable. The current flat cash settlement for forces announced in 2015 is no longer enough".

As you will be aware, Sara Thornton is not a police chief who is ever alarmist in the way in which she responds to any situation, and for her to say this is really quite serious. What is your response to her?

Amber Rudd: I would agree that we have had an extraordinary year this year. The number of terrorist attacks that we have had in this current era is without precedent. We have had 12 attacks, five of which got through, seven of which were foiled. That has put tremendous pressure on the police. They have responded incredibly well. Everybody would agree that at each of these attacks, the emergency services stepped up immediately, effectively and professionally. I recognise that this has put additional strain in different areas because of it.

We have provided some additional money in areas where the police are still working on the cases; quite often they are, quite intensely. We have provided £24 million around those different areas to support the diversion of police from one area to the next. I know that for instance in Manchester, they put a request for additional finance on top of that. I went to see them when I was up there recently. They have 100 detectives working on one floor on the atrocity that took place earlier this year. It has been a particularly challenging year in many different ways. The police have stepped up in extraordinarily strong ways. I hope that we are providing—I believe we are providing—the additional funds that are required and I will always make sure that we respond to them where they say they need additional funds in this sort of environment. Under this particular year, we have provided additional funds because the police have been so diverted because of terrorist attacks.

Chair: You will also be aware that they have raised concern about the lack of neighbourhood and community support officers, who are also crucial in terms of gathering intelligence, but this is an issue I think we will follow up with you when we have heard further evidence from the police.

Q107 **Rehman Chishti:** Home Secretary, with regard to online extremism, you recently said at the party conference that the Government is looking to increase the sentences for those who repeatedly view extremist material. What is the timeline for that legislation to come in?

Amber Rudd: Yes, we are looking at that right now. We will be bringing forward addition counter-terrorist legislation, as the hon. Member has said, which will criminalise viewing often, not just once but frequent viewing, of online terrorist material. It will also address particular focus



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from terrorist material or terrorist contact of the armed forces. We are going to move at pace to take that forward.

- Q108 **Rehman Chishti:** Just a clarification on that: when we say increase in sentences for those who repeatedly view extremist material, does the Government now have a working definition of what is extremism?

Amber Rudd: What we are looking at particularly are people who are viewing terrorist material that has radicalised people who have carried out the sorts of atrocities we have seen this year. Taking forward the definition of extremism, we have a counter-extremism commissioner who will be starting shortly—we have only just concluded the advertising but I hope that that post will be in place soon and will help with that.

- Q109 **Rehman Chishti:** The reason I asked for clarification is that the Government have previously looked to introduce a Bill which would define extremism so that people would know the demarcation and when one crosses over that line. The point I raised then with the Prime Minister on the Floor of the House was: if the commissioner will do that, why was that Bill not taken forward?

Amber Rudd: It is fair to say that it is a challenging element of any Government's policy to put that definition there, but what we have seen this year—because of the terrorist attacks—has given additional momentum to trying to do that. We do not underestimate the difficulty of doing it, but we are committed to making sure that we do. If it is illegal to download material that we describe as extremist, then it is right that we make it illegal to view it without downloading it. I do not think that is at the cutting edge of what does or does not mean extremism because what we are talking about here is really the terrorist-type material.

- Q110 **Rehman Chishti:** The only reason I seek clarification on that is when one speaks to experts like Peter Neumann from King's College, London, who deal with deradicalisation, they repeatedly say there is no clear definition of extremism. If we are going to have an offence where if one views what is deemed extremist material and getting a heavier sentence for that, does there not need to be a clear definition of extremism?

Amber Rudd: We may address that through our new commissioner. What I would say now is that what we are particularly addressing in this counter-terrorist legislation is the material that everybody would agree is already illegal because it is the type of material that terrorists want to look at. It is illegal to look at it by downloading it. We are now making sure that it is going to be illegal to view it often online.

- Q111 **Rehman Chishti:** Separate from that, the Government has done a lot of good work in relation to taking down a large amount of extremist material. How much have we taken down, exactly, over the last number of years?

Amber Rudd: We are taking down about 2,000 a week—so about 290,000 in the past few years. We will continue to keep that pace up to



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make sure that we get as much as possible taken down. I remain committed to making sure that we work with the CSPs to make sure that less goes up in the first place. The scale, the speed, and the pace of what we are dealing with here, means it cannot just be an alert system from Government. It has to be something that they own themselves and are held responsible for. We will make sure that we do that.

Q112 Rehman Chishti: Apart from taking down material, one needs to put forward counter-narrative material online. If we are taking 2,000 a week, how much are we putting up to counter that narrative?

Amber Rudd: We put some positive narrative up but mostly we encourage third parties to do that, which is a better way of convincing people that there are good things to be done, trying to divert them away from hate crime. Generally we try to encourage third parties to do it so that people recognise that there is an alternative to the hate direction that otherwise they go in.

Could I also say one other thing, if I may? One of the things we did to address dangerous extremism and hate crime is ban the first ever right-wing group, National Action, just to make clear that the Government completely understands that there are different forms of extremism and hate crime. National Action was one of them.

Q113 Rehman Chishti: Further to that, with regard to third parties dealing with the issue of putting the counter-narrative, the Assistant Police Commissioner, Mr Rowley, had said it is communities on the front line that help defeat extremism. How much effective community engagement is there with communities throughout the country, all sectors of the community, to help defeat these poisonous ideologies?

Amber Rudd: That is a very important part of our strategy. We have a policy called PREVENT, with which we help to fund community groups who can go out and address community challenges. PREVENT is first of all about safeguarding young people in the community who might otherwise become radicalised. It is a very important part of our strategy. I recently went up and met a number of organisations that are part of PREVENT. I remember in particular Mothers Against Radicalisation, where these women went round and engaged with local communities, with mothers, on the far right and on the radical Islamic side, and they did a fantastic job. Government is committed to supporting communities, to make sure they divert people in the right way.

Q114 Rehman Chishti: On the point of PREVENT, some say that PREVENT came into play before we had the problem with Daesh and therefore, now that we have the significant problem with Daesh, it would be an appropriate time to review PREVENT, how it works, the great things it does, and also the challenges that we have in taking all of the work of PREVENT forward. Is the Government going to do that?

Amber Rudd: I am very enthusiastic about PREVENT. I think it does an excellent job. I have been up and down the country looking at the



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extraordinary community initiatives that take place, that support people. It would be very helpful if more people would stand up and support PREVENT. One of the issues I heard, particularly from councillors, often Labour councillors, in Birmingham, was how frustrating it is that not all politicians do stand up and support PREVENT when it does such good work. I am delighted that the Chair has taken up my offer to go and have a look at what is going on in Birmingham, as have a number of other members of the Labour Party. PREVENT is an important part of deradicalising and safeguarding young people and I hope we can continue to champion them.

Q115 **Rehman Chishti:** Three other questions.

On counterterrorism, one of the biggest threats coming to our country, and Europe, is with regard to returning Daesh fighters. What is our position with regard to the returning Daesh fighters, whether they be female fighters, male fighters, or females who have gone to join male fighters out there, and their offspring? What is our position on that?

Amber Rudd: Yes, we take it very seriously indeed and we work across Europe and further afield to make sure that we can be absolutely clear, where possible, who is coming back, when and how. Returning foreign fighters could be the most dangerous element. These are people who have been trained out in the field. We take it very seriously indeed. We work closely with the Turks to find out who might be coming back and when they might be coming back. Where appropriate, we will put in place TEOs to make sure that we can manage their return. When they return they will be interviewed and where there is evidence, they will be prosecuted.

Q116 **Chair:** Are there any of those in place now?

Amber Rudd: Yes, there are.

Q117 **Chair:** How many?

Amber Rudd: I believe it is six at the moment. They are reported to Parliament on a regular basis.

Philip Rutnam: I think maybe six TPIMs.

Amber Rudd: How many TEOs?

Philip Rutnam: We have used the TEO power also, but I am not sure we can give a number on that.

Amber Rudd: We do report regularly to Parliament on them. I think the last one said six, but I can certainly check that before we finish.

Chair: It would be useful to have clarity over the number of TPIMs and the number of TEOs.

Philip Rutnam: We will provide what information we can.



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Q118 **Rehman Chishti:** And just for clarification on that what is the difference between TPIMs and TEOs?

Amber Rudd: TEOs are for managing the return of, for instance, a foreign fighter. We will engage with the Turks and they will let us know if there is somebody returning from the field and we ensure that their return is wholly managed so they are not just popped on a plane and sent back to us.

TPIMs, as the Committee will know, are a way of managing people away from their community and keeping them very carefully watched.

Q119 **Rehman Chishti:** For clarification for some people who may not know the technicality but would like to know the answer to this, those individuals who have gone to fight with Daesh and are now coming back, what would be their legal status on return?

Amber Rudd: It depends what they have done. We would collect as much information as we can—the UN has a committee whereby they collect information from the field—so we hope to have the evidence, where appropriate, if they have committed a crime, and in that case they will answer for it when they get here.

Q120 **Rehman Chishti:** Looking at the scale of the problem, or challenge, that we have, how many individuals, roughly, do we think have gone from the United Kingdom to fight with Daesh?

Amber Rudd: We think approximately 700 to 800 went originally and it is unclear how many will return, but we think those numbers are pretty low.

Q121 **Rehman Chishti:** If I could move over to gang crime, if I may, just one last question. Secretary of State, I am very grateful to you for meeting me previously to look at the situation of my constituent who lost his life to a knife attack—a teenager on a teenager. Kyle Yule tragically lost his life. I am due to meet his parents very shortly. What would you want me to say to his parents with regard to what the Government is doing to address the issue of knife crime?

Amber Rudd: First of all, obviously, please pass on my sincere sympathy to your constituents, to the parents of the boy who died. Please tell them we take it very seriously and we are trying to support community initiatives to work with schools, and with community groups, to stop young people carrying knives in the first place. My experience in talking to people—I met a woman recently whose son had been the victim of crime—is that they are very passionate, the parents, about wanting to stop young people carrying knives in the first place, and that is what we are trying to do. We are trying to work on early prevention.

Q122 **Stuart C. McDonald:** Welcome back, Home Secretary. When you first appeared before this Committee last year, I was able to give a very warm welcome to the fact that you had appeared to kick the net migration target into the long grass somewhat by removing any timeframe from it.



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I notice in the letter that you have sent to the Migration Advisory Committee about undertaking work on EEA migration, that you refer there to reducing immigration to sustainable levels but the 100,000 number does not appear anywhere. Am I able to warmly welcome the fact that you have ditched that specific number, or is that still Government policy?

Amber Rudd: I think the letter speaks for itself, if I may say so, Mr McDonald.

Q123 **Stuart C. McDonald:** Okay, that is fine by me. Thank you very much indeed.

Looking more closely at that commissioning letter, it also includes asking the MAC to look at regional distribution. You have also said that when the MAC looks at the effect of reduced EEA immigration, this may include a consideration of the impacts on the different parts of the UK.

Can you assure me that the Home Office is genuinely open to all suggestions, and if the evidence shows that varying immigration policies for different parts of the UK is the best option, is the Home Office open to implementing that?

Amber Rudd: I know that the hon. Member is particularly interested in having, as is often raised, a separate policy for Scotland. That is not our plan, but as he rightly observes, we are looking at all options and we have asked the MAC to report on regional elements as well. We want our policy to be informed by the facts. On immigration more than anything else, it seems to me, people's views are informed by anecdotes, which is why I particularly want this fact-driven report done by the end of next year.

Q124 **Stuart C. McDonald:** We absolutely agree with you on the importance of facts.

If I could push you, what is your understanding of the facts in terms of Scotland just now, in terms of immigration needs, demographics, workforce, public finances? Have your new Scottish Conservative colleagues not been pressing you on the fact that the challenge in Scotland is not so much reducing immigration to sustainable levels, but keeping it at sustainable levels?

Amber Rudd: Again, I hope that the MAC will be able to cover that and will address what the best way might be to support all regions, of course including Scotland. Yes, my Conservative colleagues are very clear that we need to engage with them as well on many different elements, particularly on immigration. I am always open to suggestions but at the moment, and before being drawn any further on how that might be implemented in Scotland, we do need to wait and see what the MAC reports by the end of next year.

Q125 **Stuart C. McDonald:** Thank you. If we just follow up, then, on a couple of questions about preparations for EU withdrawal. You were asked some



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questions about personnel. Regarding the numbers of customs officers that the Department employs, back in February or March I tabled a couple of questions simply asking how many customs officers have been employed in each of the last five, six, seven, eight years and I received a very surprising response from the then Immigration Minister, saying that that information was not held centrally and would only be obtainable at disproportionate cost. I cannot believe that the Home Office does not know how many customs officials are employed. Are you able to shed any light on that, Mr Rutnam?

Philip Rutnam: I cannot give you a figure for the number of customs officers specifically, not least because the way that the Border Force operates is essentially increasingly multiskilled. You will have somebody who may be capable of doing customs work or immigration work. It has not wholly moved in that direction, but very significantly.

The number of Border Force personnel, I recall as being about 7,600.

Q126 **Stuart C. McDonald:** That question was specifically about customs officers, but if you are able to shed any more light on that, it would be very useful.

Philip Rutnam: If there is any more light we can shed, we will share it, of course.

Q127 **Stuart C. McDonald:** Home Secretary, earlier on you referred to your hope that settled status might be seen by EU nationals as an advantage. I have to say that is not the impression I get from speaking to EU nationals, in my constituency certainly. One of a number of reasons for that is the fear that the rules regarding family migration that apply to non-EU citizens will then be applied to them. Yesterday the Immigration Minister again was trying to justify them as being some kind of test about whether or not they can be adequately supported here. But the truth is that the rules the UK has go way beyond that. They are a typical example of what Ms Jones said were completely overcomplicated rules. They do not, for example, even take into account a spouse's potential earnings. Is it not time to revisit the overcomplicated spouse rules that this country has, rather than trying to impose them on more people?

Amber Rudd: This is for the non-EU?

Stuart C. McDonald: Yes, but the fear is that they will soon now be applied to EU citizens that are present here.

Amber Rudd: The non-EU family reunion legislation is reasonable. I accept that we need to make it simpler and that is why I have commissioned the Law Commission to look at that, to see what we can do about it, but I think the regulations and the policy in place for non-EU family reunion is correct and is well supported.

Q128 **Stuart C. McDonald:** Why is it reasonable not to take into account potential earnings of a spouse who is coming into the country; say they



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have lined up a job?

Amber Rudd: The regulation is that you have to be able to support your spouse if they are coming over and that is why we have this level of earnings of £18,600.

Q129 **Stuart C. McDonald:** But why is that reasonable? Why not take into account the fact that this person is going to come and be able to contribute and work?

Amber Rudd: Because you do not know until they have been able to come and actually get the job and work.

The only other thing I would say, and I know the hon. Member has some experience in this area, is that the regulations have to be clear, which I hope they are, because there is always a lot of opportunity otherwise for people to try to game the systems and try to work against them illegally. Having considered that and having looked at the outcome, I believe it is the right policy.

Q130 **Stuart C. McDonald:** We will come back to that at some point but can I turn now to detention?

Recently, you will be aware, this Committee heard some pretty shocking evidence about the operation of Brook House Detention Centre in particular. How has the Home Office responded to that? More broadly, now we are about 19 months on from Stephen Shaw's report, what progress has been made implementing his recommendation that we should reduce the numbers being detained boldly and without delay?

Amber Rudd: Two parts to that question. The first part is I have had G4S in to see me. I asked them immediately for a full response about what they were going to do to address it—let me say I saw the programme. I was as horrified, as upset and as disgusted, I expect, as everybody here was. It is completely unacceptable—and they have put together a plan of implementation to correct it. I spoke just a few days to the Second Permanent Secretary, who had been on a visit. It is hugely regrettable, what happened there and they are making the changes. They seem committed to doing so, but we will make sure that we look for ourselves to see that those changes are made.

Q131 **Stuart C. McDonald:** Are you doing any work to make sure that there are no similar incidents in other detention centres?

Amber Rudd: Yes. We are reviewing our other detention centres as well, to ensure that this is not happening elsewhere.

Q132 **Stuart C. McDonald:** Okay. The High Court recently also found that the Department was unlawfully detaining victims of torture in detention centres. What steps are you taking to rectify that practice? Will revised guidance be issued?

Amber Rudd: I am not sure that is exactly what the High Court did—



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Philip, can you answer this one?

Philip Rutnam: This was related to our new policy in relation to vulnerable adults in detention, which was introduced following the Stephen Shaw report. I think that what the High Court found was in relation to one specific aspect of that new policy where the judgment was that what we were doing was unlawful so we are, of course, revisiting that policy.

Q133 **Stuart C. McDonald:** Any idea of when new guidance might be issued?

Philip Rutnam: I cannot give you a timescale but I am sure we are working on it urgently. Perhaps we could follow that up separately.

Can I also perhaps go back to your earlier question about Mr Shaw's report? He has been asked to review the implementation of his report and he began that task in September.

Q134 **Stuart C. McDonald:** Do you know when he will be reporting back?

Philip Rutnam: Again, I am afraid I do not know the timescale for completing. Perhaps we can cover that in the same response.

Q135 **Stuart C. McDonald:** Can I ask, briefly, about Compass contracts? Ten months ago this Committee published what I think was a fairly critical report about the operation of Compass asylum accommodation contracts. As I understand it, correct me if I am wrong, we are now only three weeks away from publication of the notice for the new contract and yet we are still to receive a response from the Government to that report. What is the point of us doing this work if we are not going to get a response and if it is not going to be taken into account when new contract arrangements are being put together?

Amber Rudd: I want to consider carefully how we respond to it so that we give you an accurate response. I know we are due to respond on that and we will.

Is the new contract in three weeks' time?

Philip Rutnam: Publication of the notice may be, yes, but the process will take considerably longer, I think.

Q136 **Stuart C. McDonald:** Have you engaged, as we recommended, with local authorities that are involved in taking asylum seekers? Have you engaged extensively with them and can you give us any indication of will there be increased resources for those local authorities to support the work we do in trying to support asylum seekers in the community?

Philip Rutnam: We do engage very closely with them and, indeed, I think the number of local authorities that are taking asylum seekers for dispersal in accommodation has risen of late. It is a sign, I think, of the close co-operation we have with them. I am afraid I cannot give you any reassurance about additional compensation for local authorities.



Q137 **Stuart C. McDonald:** One final issue, and it concerns child refugees. In a recent report, UNICEF has concluded that UK family reunion rules are letting child refugees down because—and it ties in with an issue that was raised earlier—family reunion is essentially limited to parents who have made it to the United Kingdom and the exceptional circumstances rules are really not working. Are you able to give us any indication of the number of family reunion cases for children that have taken place over the last year or two outside the normal rules, where these exceptional circumstances apply—because my understanding is that it is very, very rare—and if not, perhaps you can get back to us? If it is very rare, is that something that you would be willing to look at again?

Amber Rudd: It is very rare but it is there. It does take place. I know the Immigration Minister has been meeting with UNICEF to see whether any other action needs to be taken.

Q138 **Stuart C. McDonald:** A very final question. Another report, this time by the Bar Human Rights Committee—it is, what, now a year on from the demolition of the Calais camps—is warning that around 400 children are trapped again in France, still vulnerable to trafficking abuse and disease because the administration of the Dublin system there is just not working properly. Will the Government not look again, as this Committee recommended, at the Dubs scheme and look to try and by-pass the red tape of the Dublin system by bringing more children in from France, and indeed Greece and Italy?

Amber Rudd: We have brought children over under the Dubs scheme. The UK has done more than any other European country in terms of moving children within Europe around in order to bring them over here. It is complicated because the legislation around European countries protects children in the country where they are. It is not straightforward to take children from one country in Europe to another but we have adhered to the commitments under the Dubs amendment and will continue to support it.

Q139 **Chair:** Could you confirm that there have been no Dubs transfers at all since the Calais transfers completed last year?

Amber Rudd: There have been but the number is very small.

Q140 **Chair:** From where?

Amber Rudd: Is it from France?

Philip Rutnam: From France.

Q141 **Chair:** Is that just an extension of the Calais transfers? There have been no transfers at all from Greece or Italy?

Philip Rutnam: I don't know that it is just an extension of the Calais transfers. I am afraid I cannot tell you about whether there have been transfers from Greece or Italy. I can confirm there have been transfers from France, but the number, as the Home Secretary says, is very small.



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Q142 **Chair:** Can you confirm that you still have 280 places that have been offered by local authorities that are still unfilled?

Amber Rudd: That is correct. We are still hoping to fill those. We have made very clear offers to Greece and to Italy in order to do that. We remain committed to trying to fill those places.

Q143 **Chair:** You recognise that as far as Greece and Italy are concerned, there are so many bureaucratic hurdles and so many difficulties in the way in which the Home Office has designed this scheme. Frankly, if there are 63,000 unaccompanied minors in Europe, surely it should not be beyond the wit of the Home Office to find a way to fill 280 places.

Amber Rudd: It is not the wit of the Home Office that is the problem here. We have written to them; we have visited them; we are doing our best to make sure that we make it clear that we will take the children who qualify under this arrangement. We are absolutely committed to making sure we do that.

Q144 **Chair:** You are aware that their view is that the qualification restrictions that the British Home Office requires make it far too cumbersome and far too difficult for them to identify this many children.

Amber Rudd: That is not entirely the response they give to us. We have a commitment to making sure that we try to take these children in order to support them and we are doing our best to do that.

Q145 **Chair:** Given the complete failure to bring forward any other Dubs children from Greece and Italy, it would be very useful to have some further written evidence from you on that subject because it does appear currently to be going against the spirit of the legislation that Parliament passed.

Amber Rudd: I do not accept that. There have been 400 children who have moved around Europe and we have taken 200. Perhaps those numbers will give some indication to the Committee of the difficulties of moving children around within Europe, which is what we are trying to do. It is not straightforward. We remain absolutely committed nevertheless to making sure that we deliver on the legislation that was passed.

Q146 **Chair:** Given the number of children that are at risk of modern slavery and exploitation, I think that these answers simply sound hopelessly bureaucratic. We would appreciate some further written evidence from you. I do not want to take up the time of other Committee members at this point.

Amber Rudd: If I could just say, Madam Chair, that I believe it is right that we help the most vulnerable people and that is the most vulnerable children, and that is why, as she is aware, we focus our efforts on the Middle East and North African region. What I look forward to is coming back to having the opportunity to tell the Committee about the great leading work that the UK does to make sure we resettle from the region. Of that we can all be very proud.



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Q147 **Chair:** That has been welcomed many times. However, she will also be aware of the deep concern raised by the Modern Slavery Commissioner about the level of slavery and exploitation taking place among unaccompanied children within Europe. Therefore, given the view of Parliament when the Dubs legislation was passed, there remains a considerable concern that those places have not yet been filled over 12 months after the legislation was passed.

Amber Rudd: She will be aware of the alternative view, which is also that having those sorts of pulls can act as an incentive to modern slavers, which is what we must all work against.

Q148 **Chair:** Is the Home Secretary saying that she no longer accepts the view of Parliament as passed when the Dubs legislation was passed?

Amber Rudd: I have never said that, no, which is why I am committed to making sure that we continue to use our best efforts to ensure that we do take children from Italy, from Greece, where we can.

Q149 **Chair:** When will those 280 places be filled?

Amber Rudd: We are as keen to bring them over here as she is. We will continue to work to try to do that.

Q150 **Chair:** Could you set out plans for the Committee about how those 280 places will be filled before Christmas?

Amber Rudd: I would not want to mislead the right hon. Lady to think that it is entirely in our gift. As she knows, it is not; it is something we will continue to try to do. We have sent Ministers over. We have sent officials over. We are committed to filling them. I cannot give her a timeline because the countries in question cannot give that to us, but please be in no doubt of our commitment to the legislation and to the children whom we can help.

Chair: Unfortunately, as long as those 280 places remain unfilled, that sounds very unconvincing.

Q151 **Tim Loughton:** If we can come back to the first person, the subject of hate crime and abuse online, Home Secretary, you are very aware of the examples we have seen and the evidence we have taken, wholly unsatisfactory evidence, on the likes of Facebook, Twitter and Google, and you have expressed your displeasure at what is going on. You have said earlier in this session that you want to engage more with the social media companies and you want them to own the problem themselves.

Last week, when the Government produced its new internet safety strategy, it talked about a new code of practice, an industry-wide levy, internet-safety transparency reports. Where is the beef in that?

Amber Rudd: This is a DCMS report.

Tim Loughton: Indeed, but it is something that you are very interested in.



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Amber Rudd: Indeed, I am very interested in that. The report also calls for them to contribute, to make some payments, which I know that your neighbour was very interested in as well. I am afraid I will have to come back to Mr Loughton about it because we will have to wait and see what comes out of the Green Paper in terms of the optimum approach.

Q152 **Tim Loughton:** Do you agree with the principle, though—and this is a recommendation this Committee has made in the past—that the cost of policing the internet should be much, much more substantially borne by the social media companies that are profiting from hosting what are often completely abhorrent sites, rather than the cost falling on the police service and the taxpayer?

Amber Rudd: I do, and the best way for that to be implemented is by having them recruit the people who can take the information down. I do not think that a proposal such as that the Government has to alert them and then they take it down, is an effective way of clearing up the internet, either on the information that you are talking about, or the sort of information that is a priority to me in terms of terrorist information.

Q153 **Tim Loughton:** You have heard here already—it has been a beef of this Committee—that we have no idea of the number of enforcement officers being employed by those social media companies to monitor that, as you said, 400 hours of YouTube video every minute. What confidence can we have that they are going to take it seriously, unless we start to talk about major fines, as they are talking about now in Germany, if they fail to take proactive steps to avoid it in the first place, using some of the child pornography technology that is available and could be applied to hate crimes, specific phrases and so on? Would you be prepared to go down that route?

Amber Rudd: In my discussions with not the internet companies themselves but with advisers, experts, around them, and indeed with the Germans, they are not convinced that it is going to work, that particular route, because that comes back to, if it is there, then it can be fined; that creates a basis from which there will not be, I don't think, enough dynamic action to take the material down. We will watch with interest, what happens in Germany, but I am not convinced that that is a solution that will work.

Q154 **Tim Loughton:** That does sound a bit weak, Home Secretary, doesn't it? Do you not think that the Government has a name-and-shame role here? When this Committee, earlier in the year, exposed those social media companies for hosting some pretty nasty websites, which we had alerted them to earlier and yet they were still on their platforms, it gained a lot of publicity. The action by those social media companies that ensued, offering perhaps to do something about cleaning up their act, was largely down to the fact that a lot of advertisers, having seen that publicity, decided to withdraw their funds, including the Government.



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Amber Rudd: I do think that had a huge influence. I commend the Committee for that. I do think it is important to name and shame. In the same way that some sort of modern businesses exist on their reputation for being kind and good and young, some online companies do exist on that sort of strong personal reputation as well, and if they are shown that that is not valid and young people suddenly start to think, "I don't want to be part of this; if they are hosting terrorist material, we don't want to be part of it", that is important. I just am not convinced—but we will be interested to watch Germany to see what happens there—that fining is the route to go for getting it down. When I last met with Facebook, which was a number of weeks ago, they had just recruited another 300 people, and they were boasting about it, to take the material down. I understand the experience here may have been that somebody was not speaking up about it, but in some cases they will, and I think we need to continue to press them to do so.

Q155 **Tim Loughton:** Who, from your Department, chairs UKCCIS?

Amber Rudd: I don't know, sorry.

Philip Rutnam: UKCCIS?

Tim Loughton: United Kingdom Council for Child Internet Safety, which was part of the Green Paper proposals last week.

Amber Rudd: It has just been proposed to extend it and change its name, I think.

Tim Loughton: Yes. Who chairs it, from your Department?

Amber Rudd: I am afraid I don't know who it is chaired by.

Philip Rutnam: I am afraid I don't know, either.

Q156 **Tim Loughton:** It is chaired by one of your Ministers. Right.

So why is UKCCIS going to change its name, so it becomes the UK Council for Internet Safety and drop the child element? Is it merely downgrading?

Amber Rudd: No, it is not downgrading. It is about recognising that there are young adults who are impacted by this type of bullying and hate, as well. It was initially focused, as you know, on children, but this is recognising the fact that it is young adults as well, at college, university or at home, who are being impacted.

Q157 **Tim Loughton:** Do you know what UKCCIS does at the moment?

Amber Rudd: Well, I know from the paper what it does, yes.

Q158 **Tim Loughton:** What?

Amber Rudd: Well, it tries to clear up the internet, to make sure that bullying and hate information that can go online is not there.



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Q159 **Tim Loughton:** How?

Amber Rudd: By taking it down, by engaging with the internet companies, by monitoring it.

Q160 **Tim Loughton:** Do you think UKCCIS has any powers to take down any content on the internet?

Amber Rudd: Yes, it does have the powers to do that.

Tim Loughton: Okay; it does not.

Amber Rudd: Okay.

Q161 **Tim Loughton:** Can I come on to another subject? How many illegal immigrants do you think there are in this country at the moment?

Amber Rudd: We don't have that number.

Q162 **Tim Loughton:** Okay. There was a report by Civitas in June, written by David Wood, the former Director General of Immigration Enforcement, who was in front of us recently, together with a former speech writer of your predecessor as Home Secretary, which said that the Home Office has reached the conclusion that every year between 150,000 and 250,000 foreign nationals fail to return to their home country when they should. Do you recognise that figure?

Amber Rudd: I don't. Maybe the Permanent Secretary does.

Philip Rutnam: No, I am afraid I don't recognise those figures either.

Q163 **Tim Loughton:** Why do you think two people who have been very close to the Home Office came up with it then?

Amber Rudd: I would not want to speculate.

Philip Rutnam: I think you need to ask them.

Q164 **Tim Loughton:** So you have no idea how many people are currently in the country who should not be.

Philip Rutnam: It is not something that we have an estimate of, no.

Q165 **Tim Loughton:** So you have no idea? Do you think you should have an idea?

Philip Rutnam: If I were to have an idea, I would want to have an evidence base and that is not something I have an evidence base on.

Q166 **Tim Loughton:** Is it something that it would be quite easy to get an evidence base on? If so, which Department's responsibility would it be to get that evidence base?

Philip Rutnam: It is quite a difficult thing to get a reliable evidence base on and it is not something that I have a figure for you on now.

Q167 **Tim Loughton:** Should it come under the Home Office Department's



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responsibility do you think?

Philip Rutnam: Migration and the border is clearly the Home Office's responsibility.

Q168 **Tim Loughton:** Right. But you do not think you have any duty, or particular interest in finding out how many people are in this country illegally at the moment?

Philip Rutnam: It is clearly a matter for the Home Office to understand migration flows in and out of the country. It is quite hypothetical to try to assess the number of people who are here illegally.

Q169 **Tim Loughton:** What do you mean, it is hypothetical?

Philip Rutnam: It is perhaps better to say it is a very difficult thing to assess; a very difficult thing to assess reliably. I would want to consider what methodology one might use, what evidence there is internationally, of other countries, how far they are able to estimate it reliably and, of course, ultimately it is clearly a matter for Ministers as to how we use our resources.

Q170 **Tim Loughton:** Home Secretary, do you think it is a piece of work the Home Office should be doing?

Amber Rudd: I think the piece of work the Home Office should be doing is implementing our policies to make sure that people who are here who should not be here are removed. That is why we are concentrating on immigration enforcement. We have had a step up to enforce the compliant environment, to make sure that people who are here, voluntarily return. That is what I am focused on.

Q171 **Tim Loughton:** Can I ask two other quick questions?

We have heard very little from the historic child sexual abuse inquiry recently, which is perhaps no bad thing, given it was appearing in the headlines for the wrong reasons. We questioned you just over a year ago, when you appeared in front of the Committee, and we questioned the members of the review panel as well.

Amber Rudd: I recall.

Tim Loughton: What is your assessment of how its work is progressing and when will we hear something substantial from it?

Amber Rudd: As you will be aware, it is an independent inquiry, so I do not have regular sessions with them, but I have asked to have a meeting sometime soon with Alexis Jay to find out what progress has been made. "We are expecting a report this year", is what I have been told, and I will look forward to that.

Q172 **Tim Loughton:** Have you met Alexis Jay since you appeared in front of the Committee last year?



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Amber Rudd: I don't believe I have. I met her before she was appointed, in order to confirm her appointment, and I have not seen her, no, since my appointment.

Q173 **Tim Loughton:** What the most senior official within the Home Office who has met with Alexis Jay in the last year?

Amber Rudd: I can't remember who it would be?

Jeremy, would it be?

Philip Rutnam: I am afraid I do not know the answer to that. It would probably be the Director of Safeguarding and Protection.

Amber Rudd: Yes.

Philip Rutnam: Perhaps we can come back to you.

Q174 **Tim Loughton:** Who does she report into in the Home Office?

Philip Rutnam: The Director of Safeguarding and Protection would report to the Director General for Crime, Policing and Fire. Sorry; who does Alexis—

Q175 **Tim Loughton:** No, the inquiry, Alexis Jay, her link into the Home Office, in terms of officials, would be who?

Philip Rutnam: The inquiry, as the Home Secretary has said, is independent; independent in relation to conduct—

Tim Loughton: I understand that.

Philip Rutnam: —independent in relation to its process, independent in relation to its findings. It is a very, very important principle, which we respect completely.

There is regular liaison between the Home Office and the inquiry in relation to matters such as expenditure, so that we can fund the inquiry properly, in relation to matters such as recruitment of staff, if there needs to be co-operation or co-ordination with the Government, but the inquiry, in relation to its conduct and its decision-making, is entirely independent. Within the Home Office, we have a small unit whose purpose is to provide the co-ordination and liaison between the Home Office, and not just the independent inquiry on child sexual abuse but other inquiries that are under way, such as the undercover policing inquiry.

Q176 **Tim Loughton:** Permanent Secretary, have you had any briefings from senior officials about the goings on at the review, in your time?

Philip Rutnam: Goings on at the review?

Tim Loughton: About the progress it is making, about its requirement for more funds, or that it has underspent its funds, or the way that various witnesses have responded to the proceedings, or anything like



that?

Philip Rutnam: In the six months that I have been in the role, I have had a general briefing on the progress in the inquiry, and on the Home Office's role to provide the funding, to make sure that we are supporting the inquiry in relation to things such as IT, corporate services, that sort of thing, but also the very important principle of independence.

Q177 **Tim Loughton:** Okay. Your predecessor obviously took on board, and was again interviewed by us, in order not remotely to compromise the independence—the important independence of the inquiry—but to make sure that it was on track and that its integrity was not being undermined by the adverse headlines in the papers, that he was going to keep a particularly close, direct personal eye on it and therefore report to the Home Secretary. It sounds as though it has not happened.

Philip Rutnam: No, I do not think that is correct. First of all, it is very clear to me that the Home Office has a very important role in supporting the inquiry, so that the inquiry can fulfil its independent mandate—matters of funding, for example; matters of staffing, if they need to be raised, IT systems; those sorts of questions—and I have been briefed on those. I have also asked for a meeting with Professor Alexis Jay. It has not happened yet but I am sure it will happen at some point in the near future.

Q178 **Tim Loughton:** Final question, Chair. When is the Government producing its response on prostitution, which we produced a report in the last year on? I think we are waiting on the Home Office to produce a report on the way forward.

Amber Rudd: I will have to come back to you on that.

Q179 **Tim Loughton:** So it is not a priority issue at the moment?

Amber Rudd: It has just become one.

Q180 **Mr Christopher Chope:** I apologise for not having been here from the beginning. I had business on the Floor of the House.

There is no estimate in the Home Office of how many illegal migrants are here. The evidence that we had last week from David Wood, who was, after all, in charge of Immigration Enforcement at the Home Office, was over 1 million. Was that just a figment of his imagination, or was it a realistic estimate based upon his knowledge and experience in the role that he had performed?

Amber Rudd: I have not met Mr Wood, so I am afraid, Mr Chope, you will have to make your own judgment on that. I have not met him.

Q181 **Mr Christopher Chope:** You are not in any position to dispute the figure that he gives; you are just saying you cannot confirm or deny it because you do not know?

Amber Rudd: I think that is correct, yes.



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Q182 **Mr Christopher Chope:** He may well then be right.

Amber Rudd: Or wrong.

Q183 **Mr Christopher Chope:** As far as you are concerned. Okay. But he has made his judgment, and so you cannot dispute that. That may be a sensible judgment based upon his knowledge and experience.

Amber Rudd: It may be, but we need to deal, as the Permanent Secretary has just said, in facts, and there aren't facts to back that up, unless he gave you some that we do not know about.

Q184 **Mr Christopher Chope:** Earlier on you were saying you were interested in outcomes.

Amber Rudd: Yes.

Mr Christopher Chope: I think most of the British people are interested in the outcome ensuring that we significantly reduce the number of illegal migrants in this country.

Amber Rudd: That I agree with.

Q185 **Mr Christopher Chope:** How are you going to do that, because we do not seem to know how many there are coming in? There is obviously a significant number overstaying. Deterrents are surely the best way forward, and in order to deter people first of all there needs to be certainty of detection, and a lot of these illegal migrants are not being detected. Secondly, if they are detected you need to have a certainty of a penalty and an outcome that they would not wish. Again, there does not seem to be any certainty about that. Both those key elements of deterrents are lacking in your current policy, and I wonder what plans you have to increase deterrents for illegal migrants.

Amber Rudd: I would like to make two points and then ask the Permanent Secretary to follow up, if I may. There are two ways of addressing this. First is making sure that we have more security at our borders. We make sure that we know who is coming and who is going. Of course entry checks on exit, which we introduced in April 2015, have been hugely helpful for that as well. In terms of students, we now think that there is very little overstaying. There was very strong compliance from students, and that is partly because we now know that the students who come here come to legitimate universities rather than the large number of bogus colleges that were closed by the former Home Secretary. I think we can have more confidence in our borders and that there is less overstaying given the actual facts that we have received, for instance on students in terms of the much reduced number of overstayers.

In terms of what we are doing to try to enforce people to leave, there are two things we could do, enforced returns or voluntary returns. Obviously voluntary returns are a much better option. They are much more humane and they are much easier to act on. In order to encourage voluntary



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returns we try to make the environment more difficult for people when they are here if they are here illegally. It is more difficult to have a bank account, to have a driving licence, and to be able to rent somewhere. If we can make that environment more difficult for them they are more likely to volunteer to return home. We try to enforce returns by having volunteers to do so, and we try to do it as well by having enforcement of the type that we discussed before.

Q186 Mr Christopher Chope: Are you not missing one element of that: penalties? For example, it is illegal to be in this country without authority; why are we not prosecuting these people in the courts? Why are we not imposing fines on them?

Amber Rudd: The best way to address people who are here illegally is to remove them, and we will do it—

Q187 Mr Christopher Chope: We are not removing many are we?

Amber Rudd: We are; we are addressing voluntary returns and we are addressing enforced returns. It is true that sometimes it is difficult to remove people, and sometimes the courts do intervene. Detained Fast Track is one of the elements that was helpful for removing people who were here illegally, and we are no longer able to use that. We are working out what else we can do to try to implement something similar.

Q188 Mr Christopher Chope: Before bringing in your colleague, would you agree that if you did introduce prosecutions and penalties in the courts for illegal migrants that would be an additional weapon in your armoury? At the moment that is not happening.

Amber Rudd: Not particularly, because if we think through the people who are here illegally, if we cannot get them to engage with us in terms of their immigration status we are unlikely to be able to, as you put it, enforce a fine. That is not the nature of the people who are here illegally. They are not going to turn up for a fine or for a court attendance. What we need to do is to make it clear to them that we need them to comply in an environment that is going to be more challenging for them to make their way of life here and they would be better off by leaving.

Q189 Mr Christopher Chope: Home Secretary, do you not accept that the answer you have just given will seem to the general public very bizarre? The Government are supporting significant court activity against people who have evaded their TV licence fee, for example. Almost one in 10 cases in the Magistrates' Courts are for people who have evaded their TV licence fee. Why is it the Government's view that TV licence fee evasion is more serious and needs to have more deterrents than illegal immigration?

Amber Rudd: I do not accept that position, because if we have illegal migrants what we want to do is remove them, if they are here illegally. I think what the public want is to see a robust position from the Government whereby we will remove them if they are here illegally, and



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those are the steps we go through if we can in order to remove them. It is not quite as straightforward under the law sometimes to be able to do that, but it is absolutely our intention to make sure where the compliant environment is not working that we do remove people.

Q190 Mr Christopher Chope: Okay. Going back to your outcomes, what outcome do you wish to see in this current year on the number of removals of unauthorised migrants?

Amber Rudd: We have stepped up our target. I think it is 35,000, is it not?

Philip Rutnam: Something like that—35,000 last year.

Amber Rudd: 35,000, yes.

Q191 Mr Christopher Chope: That is a drop in the ocean, is it not, compared with the numbers we are talking about?

Amber Rudd: We do not know what the numbers are at the moment, but we do know if we got 35,000 removed that would be an increase on last year.

Philip Rutnam: Going back to the earlier line of questioning, there are penalties, but we use, and we do so for good reasons, the civil law and the civil regime in order to take penalties rather than the criminal law. First, because the burden of proof is less; secondly because it allows a more expeditious approach; and thirdly because I do not think the court system would welcome our gunning it out with a very large number of immigration cases pursued through criminal powers when civil means are available. Civil means are available to impose penalties on those who employ migrants illegally. Civil penalties are available to those who rent accommodation to migrants illegally. Civil penalties are available in relation to individuals themselves by way of preventing them from working, requiring them to report regularly to our premises, and also in some cases to detain them.

There is quite a comprehensive regime, I would say, both for controlling the entry of migrants—the entry of people into the country on a risk-based approach—and for seeking to make sure that where we can detect people who are here illegally we deal with them effectively. The really important new element is that we create a regime and an environment in which it is increasingly unattractive to be here illegally, and an increasingly unattractive environment in which to employ or rent property to somebody illegally.

Q192 Mr Christopher Chope: Okay. If an illegal immigrant is caught trying to rent a property illegally, or trying to work when he or she is not entitled to work, is that illegal immigrant automatically deported as a result of that being discovered, and is the weight of the criminal law used against them?



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Philip Rutnam: What the law provides for is that we should go through a process of considering the situation of the individual. Are they making a claim to be here legally? If so we need to consider that. Which country do they come from? Can we establish their country of origin as well as their identity? As you may be aware, it is quite complex, once one has found someone who is here we believe illegally, getting to the point where we can deport them. A great deal of energy and commitment from the Department goes into that process with the aim of removing people who are here illegally.

Q193 **Mr Christopher Chope:** Okay. You are not penalising landlords or employers in respect of people about whom you still have all those questions to ask to which you were just referring?

Philip Rutnam: No, we can and do. The other week I was present on a series of visits accompanying immigration enforcement officers who visited premises in London where we were able to establish that people were not here legally and they did not have the right to work, and civil penalties were issued; sizeable civil penalties.

Q194 **Mr Christopher Chope:** Can I just ask you one other thing? Since April 2015 you have been recording both arrivals and departures. You should be able to work out the figures for the year starting April 2015 as to how many people arrived and should have left in accordance with their visa terms by the end of that year, but have not done so. That must be material that you have to hand. What is the answer to that in numbers?

Amber Rudd: I am afraid I will need some time to come back to you to get that answer.

Q195 **Mr Christopher Chope:** Surely that should be at the forefront of this, should it not?

Amber Rudd: It is possible.

Philip Rutnam: Some statistics were in fact published in relation to exit checks data not so long ago that provide some of the information you are asking, and show that for some categories—the Home Secretary has already mentioned students—the levels of compliance with exit in a timely way are very high. We know that for nationals who are coming here from a range of other countries in fact there is a range of other levels of compliance. That is one of the things that we take into account in visa grant rates.

Q196 **Chair:** Can you do those sums on entry numbers take away exit numbers from those exit checks yet?

Philip Rutnam: I am afraid I would need to consult before giving you an authoritative answer on that, because the statistics I know are still in their experimental stage. The more you break them out the more uncertainty is likely to be created, but we can come back to you on that.



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Amber Rudd: We have done them on students, and it shows very high levels of compliance.

Q197 **Chair:** It would be very helpful, I think, to have some more information about precisely those figures and how they are working so far. I am just very conscious of your time and patience, and very grateful for the time you have had. I think we will have a series of follow-up questions that we have not managed between us to squeeze in in the time that we have had from you, including, I think, on some of the individual cases. Particularly the Manchester and London terror attacks, some specific questions, and also the case of Samim Bigzad as well, where I know there were challenges to the Home Office about whether or not the Home Office had behaved legally. It would be useful to have some clarity on that. Can I then ask you the two brief final questions? When do you expect to publish the Immigration White Paper?

Amber Rudd: By the end of the year.

Q198 **Chair:** Thank you. During the course of our discussions and our evidence taking this afternoon the Brexit Secretary has said in Parliament, and I quote, "In a negotiation you always have to have the right to walk away. If you do not you get a terrible deal." Would you agree that on security to walk away would be a terrible deal?

Amber Rudd: I am confident on security we will get a deal. It is not in our interest or theirs to do so.

Q199 **Chair:** You are not planning to walk away as part of threatening a better deal on security?

Amber Rudd: There were no threats either way on security. The Prime Minister made clear in her Florence speech, for instance, that our proposal on security was unconditional.

Q200 **Chair:** You will appreciate the concerns about some different messages coming from different Members of Cabinet on this?

Amber Rudd: I do not recognise that question, Madam Chairman.

Q201 **Stephen Doughty:** He has literally said it, Home Secretary, while you have been giving evidence this afternoon.

Amber Rudd: Not on security. I think he has not said it on security.

Chair: Given that you have not obviously had the opportunity to hear what your Cabinet colleague has said we will conclude the evidence at this point. We are very grateful for your time, and thank you as well in advance for the further responses that I am sure you will be able to give to us.

Amber Rudd: Thank you very much.