

Public Accounts Committee

Oral evidence: Home Office performance: progress review, HC 1182

Wednesday 27 June 2018

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Members present: Meg Hillier (Chair); Caroline Flint; Anne Marie Morris; Bridget Phillipson; Lee Rowley; Gareth Snell.

Sir Amyas Morse, Comptroller and Auditor General, Adrian Jenner, Director of Parliamentary Relations, National Audit Office, Tom McDonald, Director, NAO, and Marius Gallaher, Alternate Treasury Officer of Accounts, HM Treasury, were in attendance.

Questions 1-253

Witnesses

I: Sir Philip Rutnam, Permanent Secretary, Home Office, Stephen Webb, Senior Responsible Owner, Emergency Services Network, Home Office, and Paul Lincoln, Director General, UK Border Force.

Examination of witnesses

Witnesses: Sir Philip Rutnam, Stephen Webb and Paul Lincoln.

Q1 Chair: Good afternoon and welcome to the Public Accounts Committee. We are here for a recall session with the Home Office about a number of policy issues. I think we have alerted you to all of them. We are hoping to ask you some questions on modern slavery and understand that you may not be fully briefed on that, but we will get to that point later.

We have given you notice of some of the issues we want to raise. Before I go into that, there are a couple of items that have recently been in the news, which you will have picked up. One concern is about the long queues at Heathrow, with criticism from some of the airlines and so on, and the closure of the e-gates. Presumably, that has come across your desks, Mr Rutnam and Mr Lincoln. I should introduce you and will do so in a moment. What have you got to say about that? Is it a one-off or is it something that you are worried might continue over the summer?

Sir Philip Rutnam: I will say something about that and then pass to Paul Lincoln, who runs Border Force. It is obviously a real concern. It is connected to a pattern in which travel to the UK has been rising, particularly travel from non-EEA countries, which probably partly reflects the exchange rate and the attractiveness of the UK as a tourist and business destination. Non-EEA travellers at present take longer to process than EEA travellers. That puts extra burden, particularly at Heathrow, which has a high proportion of those travellers.

We are doing everything we can. Heathrow is—and has been—a challenging operating environment for a number of reasons. We are doing everything we can, including putting significant additional resource in from what is known as the surge capacity which is hosted—held—for the whole of Government by HMRC.

I am afraid I cannot say that there will not continue to be a challenge over the summer but I want to reassure the Committee that we are doing everything we can to mitigate those effects. That includes working very closely with both the airlines and the airport operator, both of whom through their operating procedures can make a significant difference to the challenge at the border. But Paul should add something.

Paul Lincoln: Let me expand on those numbers, for example. The difference in passengers coming into the UK last year went from 130-odd million to 137 million and the difference in non-EEA nationals was a 3.7 million increase, of which 2 million of those were at Heathrow alone.

That is a significant number of additional people, which in some ways is a good problem for the country to have, but it does create some issues, as has been described. Those figures translate, broadly speaking, to 40,000 people a week at Heathrow who are not processed through our e-gates. As the Permanent Secretary said, we are working very closely with Heathrow. I was there last week and will be back in a couple of weeks to discuss the



HOUSE OF COMMONS

matter with the Heathrow leadership group, which includes the Heathrow operator as well as the major airlines there.

In addition, we are putting in the region of 200 additional staff into Heathrow over the summer. We work very closely on the issues on a tactical level. We speak to them on a daily basis about how we might best schedule, and we talk around how we might detail with the carriers to make the passenger journey smoother, including trying to ensure that those people who come from the EU, who might use the e-gates but otherwise decide to travel on their ID cards, would ideally come on passports and would be let through.

The other piece of context is that the Border Force officers at Heathrow do not work in a vacuum just trying to process passengers. They do a significant amount of security work. We have seen a record number of referrals on counter-terrorism, given the threat, as well as a record number of referrals on modern slavery. We have also made some significant seizures of drugs and other items.

Q2 **Chair:** You are saying that more people coming through are of interest to you because of their potential risk.

Paul Lincoln: Yes they are.

Q3 **Chair:** Have you got any numbers?

Paul Lincoln: More people have been referred. In the past year we referred about 3,500 people on counter-terrorism referrals and we made a significant number of referrals for potential victims of modern slavery.

Q4 **Chair:** What is the rate of increase on that, or volume increase?

Paul Lincoln: I do not have the detail of that increase but I am sure we could write to the Committee with the comparison.

Q5 **Chair:** That would be helpful. That is obviously an important issue. It does raise questions. Are you doing any different checks? Why are more people of interest coming through? Have you raised the level of check that you are doing?

Paul Lincoln: We take the threats very seriously. We work with our intelligence partners. When there are people who are on our watch list we need to intercept them. The volume is also a proportionate issue.

Q6 **Chair:** So it is really because more people are coming.

Paul Lincoln: And, of course, we have been encouraged, quite rightly, by the Prime Minister and others to ensure that we are doing our utmost with regard to modern slavery. We have specific legal safeguarding responsibilities under section 55 of the 2009 Act, which require us to safeguard children.

Q7 **Chair:** Do you still operate Operation Paladin at Gatwick, which was to look at children being trafficked?



HOUSE OF COMMONS

Paul Lincoln: If we identify children who are being trafficked, we take that very seriously and, of course, do our best.

Q8 **Chair:** What is it called? It used to be called Operation Paladin.

Paul Lincoln: We have a series of operations, the names of which do sometimes change, when we do intensifications to support the National Crime Agency and others. Sometimes they will be around modern slavery and we will target particular flights, for example.

Q9 **Chair:** One of the things in the Report was that the e-gates are not always working. Have you got any comments about that and whether that is the case? That would obviously speed it up. If you can't get through an e-gate, you join the main queue and that slows it down.

Paul Lincoln: The average time for passage through e-gates at Heathrow is a small number of minutes—under five minutes is the average journey. The opening of that is scaled to the number of people who are likely to use those gates. The reason we do that is because we would move people from the other desks who would otherwise process people to come through. It is true that the queues may look large in the halls as people go through. Occasionally people will tweet a picture of the queues in those halls.

Chair: We know that; we have seen that.

Paul Lincoln: The actual processing time of people going through those queues is a small number of minutes.

Q10 **Chair:** Okay, but are the e-gates working?

Paul Lincoln: Yes, they are.

Q11 **Chair:** So the reports about frequent closures—the closure is simply because you are moving resources somewhere you can say it is right for them to be, so it is not a malfunctioning.

Paul Lincoln: It is not a malfunction.

Sir Philip Rutnam: It is perhaps important to be clear: having more e-gates operational only benefits queueing times for the passengers who can go through the e-gates—

Chair: With the chipped passports.

Sir Philip Rutnam: —who are typically the EEA passengers. Actually, we are generally within the SLA or very close to the SLA for EEA passengers. The challenge is on non-EEA passengers.

Chair: It is interesting that you talk about this increase in volume as though it is a surprise, yet you get data before people board the aircraft, that comes through the centre in Stockport. You are watching all that information through. Surely, Mr Lincoln, you must have some agility in the service, to move people from one airport to another or from elsewhere in the system, to make sure that you are staffing the gates appropriately.



HOUSE OF COMMONS

Q12 Caroline Flint: Also, presumably, in terms of people who have had to apply for visas, you must have data on when they have said their date of travel is.

Paul Lincoln: We do have data, which we typically receive about three months in advance, in terms of that, from the airline, which then works into the scheduling of our staff. Of course, we do do some dynamic scheduling of people, but the most important part is in terms of having sufficient window for us to be able to resource.

Q13 Chair: Three months is quite a long time to know that you have got people coming through.

Paul Lincoln: We also use historic data on that, but the levels that we have seen this year were beyond the predictions of Heathrow and the airlines themselves.

Q14 Chair: Are these people who have booked at the last minute? I am a bit puzzled. If you get information three months in advance—because some people book their flights late but most people do not—you have that information through the airlines, through all the normal reporting processes, of which I know only too well, as I was at the Home Office implementing that at the time and pushing it through at the time, but you say you cannot then use that data.

Paul Lincoln: We use the data, including the advance passenger information—

Chair: Exactly.

Paul Lincoln: —to say what are the likely implications for staffing up the particular desks—the breakdown between non-EEA and EEA passengers.

Chair: So you have the numbers.

Paul Lincoln: And we therefore staff to our best ability, using that data which is available.

Q15 Chair: What is then the problem with the queues? You have talked about the 200 additional staff over the summer. First of all, where are they from? Are they from other airports or are they being recruited?

Paul Lincoln: Those staff, as the Permanent Secretary said, come predominantly from the HMRC Government surge capability.

Q16 Chair: Okay. But if you knew three months in advance that these people are coming—I still don't understand. You say this is an extraordinary surge, but it is a surge you should have been aware of from that data.

Paul Lincoln: We have some of that data—

Chair: APIS was hard-fought.

Sir Philip Rutnam: All our ports are busy. The time that it takes to resource, recruit, train, get staff into post, is significantly longer than three months.



HOUSE OF COMMONS

Q17 Chair: So you are saying that there are so many people coming through that actually the surge is not going to be enough. You cannot move people from elsewhere. You are having to recruit and train new people, which you cannot do in three months.

Sir Philip Rutnam: I was saying that that is a strategic challenge, not just a tactical challenge, and three months of advance information is not sufficient to respond to the strategic challenge by expanding the whole workforce. That is something that needs many, many months of planning. There is no doubt that we will talk about that in relation to Brexit.

Q18 Chair: So you are saying that there is a long-term increase in workforce; it is not just about providing more for the flights at certain times of the day that are busy.

Sir Philip Rutnam: There is a long-term increase in demand. How that demand is then met to the standards that we need to operate in relation to both security and immigration control is partly about workforce, partly about technology, and about the mix between the two. So it is not just about workforce. And it is also about the operating environment with the airport and the airlines—all of those things.

Q19 Caroline Flint: Mr Lincoln, you mentioned the added pressures to do with our security, and obviously issues around modern-day slavery as well. Should you be making a case that actually the service needs more resources to deal with those additional pressures?

Paul Lincoln: We of course review resources regularly, and I have conversations with the Permanent Secretary and we put advice to Ministers on what the level of resource is to achieve the outcomes that they wish to achieve.

Q20 Caroline Flint: Are you factoring in—which we will probably come on to in more detail later on—that after we leave the European Union, more documentation might be needed by those people who currently can come through as EU citizens, so there may be more delays?

Paul Lincoln: We have looked at the levels of passengers who are likely to come in, and there is a question about increased growth, which we have just been talking about. But beyond that, we already process 100% of all passengers whether they come from the EU or elsewhere into the country, and we do not see any suggestion that we would process people in a different manner at this stage.

Q21 Chair: So EU passengers will still be able to use the e-gates.

Paul Lincoln: Subject to any matters for Ministers in the negotiations with the EU, it is a matter for Ministers to decide whether they can use the e-gates in due course.

Q22 Chair: So if they do not use the e-gates, what is your contingency planning?



HOUSE OF COMMONS

Paul Lincoln: We look at a range of different possibilities in terms of contingencies and it would be for Ministers to decide whether or not that is appropriate.

- Q23 **Caroline Flint:** Given that the Government have indicated that freedom of movement is to end, surely, Sir Philip, that has to be factored in, in terms of there will be some issues where people will not be able to move as freely as they have in the past.

Sir Philip Rutnam: Of course the Government's expectation is that we will do a deal with the European Union in relation to exit, and that there will be an implementation period, which will run until the end of 2020, during which, barring one or two issues which we can perhaps come on to, such as registration for new arrivals, essentially we have the status quo continuing to operate in relation to movement—people arriving in the UK from the EU. They would therefore continue to be able to use the e-gate. So the issue which you raise is an issue, I think, in relation to the period beyond the implementation period. Of course the Government is continuing to develop its plans, its policies, in relation to that phase of the immigration system.

Caroline Flint: We will maybe come back to that later. I understand about the transition period, or implementation period. I think I am looking down the road beyond that—that there will be discussions had about what additional asks will be expected of people who no longer can come in as freely as they have in the past.

- Q24 **Chair:** Can you just remind us: is it seven months or more to recruit someone to the Border Force, Mr Lincoln?

Paul Lincoln: Yes. The last time I was at this Committee I said that if we were doing a large-scale recruitment it would take probably, on average, about 12 months to bring somebody into the recruitment selection processes, into training, and then to be deployed and mentored as part of that process. There are shorter ways to do that, depending on which level of training capacity you want individual levels of staff to have as part of that.

- Q25 **Chair:** How many are you recruiting at the moment? What is the live recruitment number? Can you remember?

Paul Lincoln: The Home Secretary previously said that we are in the process of recruiting 300 people for a readiness taskforce. That process is almost complete. The former Home Secretary also announced that we were in the process of creating a pipeline for up to 1,000 Border Force officers. We have set up a pipeline to do that.

- Q26 **Chair:** What does that mean—setting up a pipeline?

Paul Lincoln: We have a recruitment and training process, which is being put in hand, and we can bring officers in on the back of that to deploy to a combination of needs, whether that is attrition within our own Border Force—



HOUSE OF COMMONS

Q27 **Chair:** I still do not understand. You have got something in hand. You have got 1,000 people. Where are they in the system, in this pipeline? Are they waiting to be offered the chance—

Caroline Flint: Are they in the pipe or entering the pipe?

Paul Lincoln: We are currently in a process of sifting and interviewing candidates as part of that pipeline.

Q28 **Chair:** So once they are interviewed--obviously some will fall at that hurdle--then they go through training. So these people you are interviewing are still nearly 12 months away from any deployment--those at higher level, anyway.

Paul Lincoln: The announcement was made on this in March, which fits in with a year, to the questions that were asked by this Committee previously as to whether or not we would be prepared to bring in additional people if that was required. So that is why we are setting up a pipeline--to be able to flexibly meet those needs. So as people are selected and interviewed we can decide whether and where to provide for those people to perform their duties.

Q29 **Chair:** I think we are still concerned that even with the predicted numbers that you can see coming forward, it takes this long to react to those numbers.

Q30 **Gareth Snell:** Mr Lincoln, you said you are looking at contingencies on what we have just discussed. How many of those contingencies have with them an additional cost burden that is not currently in your base budget? Second to that, you said that you are meeting the ministerial objectives within your resources. Are there things that you think could be happening to better meet those ministerial objectives, which you are unable to do because the resourcing to do them is not with you?

Paul Lincoln: The budget, for example, which was published in the estimates, for Border Force, was £496 million for this year; but in addition to that we--or the Department, the Home Secretary--have allocated additional funds associated with EU exit, which brings the Border Force budget up to £560 million for this year. So it is a significant amount of additional resource, which is helping us to prepare for EU exit challenges, so I am confident, on the basis of that, that we will be able to deliver what we are being asked to do by Ministers.

Q31 **Gareth Snell:** So is that additional money, which the Home Secretary has earmarked, specifically ring-fenced to use for contingencies that you referred to earlier, or is it just part of your budget for the in-year overspend or in-year programmes?

Paul Lincoln: The Home Office was allocated £395 million of EU exit funding, a proportion of which, as I have just described, is in my budget. That is being used to prepare for a range of different options as part of looking at how we will approach EU exit.



Sir Philip Rutnam: In response to your question, with that element of the £395 million, we are building capability in the form of people and strengthening systems and procedures so that we can deal with a range of scenarios—obviously, front and foremost, the Government's expected scenario of a deal with the European Union, but a range of other scenarios as well. So it is going into building capability.

- Q32 **Gareth Snell:** So under all your scenario planning for the various potential arrangements that we have when we exit the EU and in relation to the Border Force, there is sufficient money in the budget to cover your day-to-day operational activities as well as any contingencies you may need to put in place to meet those various scenarios. None of them are basically unfunded.

Sir Philip Rutnam: They are certainly not unfunded. It is fair to say that the level of challenge will depend on the scenario that we end up with. Of course the Government's expected and preferred scenario is a deal with the European Union and an implementation period.

- Q33 **Gareth Snell:** So potentially if the Government gets a good deal and we end up with a deal and an implementation period, you may end up with a small surplus in your budget because the contingency funding for no-deal scenarios is presumably greater than those with deals.

Sir Philip Rutnam: I would predict that we will end up with an even more capable organisation than the one we have now, which is even better able to deal with the range of challenges and threats we face at the border: controlling not just immigration and the flow of people, but the flow of goods, protecting the country's security—a whole range of challenges. We will have a more capable organisation, which is larger in terms of headcount and has stronger underpinning systems.

- Q34 **Chair:** We will come back to this in more detail later. I want to touch on the reports in *The Guardian* about David Bolt's inspection of your charges for immigration, nationality and customs services. It is noticeable—we notice it as constituency MPs—how high and how quickly fees have risen. What do you make of the Bolt review? What has been the rationale to date for the increases in fees? Is it to backfill other gaps in your budget?

Sir Philip Rutnam: Let me say something about the historical rationale and then I will comment on the current position. It has been the policy under successive Governments, going back to the 2007 Immigration Act, that fees for particular immigration products may be set above the level of processing that particular product. The rationale for that is that we provide a whole range of products in the immigration system, some of which are highly desirable, and people's willingness to pay for them is high, and the gap between the charge that we are able to make and the cost of processing the product—any surplus—can go towards defraying the general cost of running the border and immigration system. Obviously, the extent to which it is not funded by fee income falls on general taxpayers. That has been the rationale. The development of the fees structure—the fact that citizenship, naturalisation and registration command particularly high fees—has reflected a sense of the products that are most valuable to



HOUSE OF COMMONS

the recipients and those that are less valuable. So some rationale has underpinned that.

Of course, it is an issue for Ministers—it is a policy issue. I can say that Ministers are well aware of the concern that has been raised and are considering the issue now. I do not think I can go any further than that, but I can reassure you—

Q35 **Chair:** They are considering the issue separately from David Bolt's review as the independent inspector.

Sir Philip Rutnam: David Bolt is looking at the matter as the independent chief inspector. He operates independently—

Q36 **Chair:** But you are telling me that Ministers are also looking at the matter.

Sir Philip Rutnam: Ministers are considering the issue. They are aware of the concern and are considering the issue. I do not think I should say any more about that now apart from making the obvious point that, were there to be any change in the structure of fees—any change in the policy—to the extent to which the system is not funded from fee income, there will be an additional cost to the Exchequer, to taxpayers, and that is clearly a pertinent factor for Ministers in thinking about the issue.

Q37 **Chair:** As an MP for a constituency where many people pay these fees, I simply observe that they can be crippling for a family who want to contribute to the UK but are finding it hard to do so, but I also recognise the impact on taxpayers in general. I recognise the challenge, but it is noticeable that fees have gone up a lot. I think the nuances of what you have said, Sir Philip—about Ministers as well as the chief inspector looking at the matter—will be picked up outside this room. We will leave it there for now, but I am sure we will come to that at some point.

We are now going to introduce you formally. Apologies to Mr Webb, who has been sitting there waiting for his turn; I am sure he has been quite happy to let you take the heat for a moment. Stephen Webb is the senior responsible owner for the emergency services network at the Home Office. I think this is your fifth visit to us now, Mr Webb. Sir Philip Rutnam is the permanent secretary at the Home Office, who comes regularly but on this issue has, I think, also been in front of us five times. Paul Lincoln is the director general of the UK Border Force. Apologies for not introducing you earlier.

Q38 **Lee Rowley:** I know the ESN has been in front of us, as Ms Hillier said, five times. It is the first time I have looked at it, so perhaps we could start with some points of fact. How many people are working on this project at the moment?

Sir Philip Rutnam: In the Department? We have had a team of about 340—a very large team. One of the things we have been doing in resetting the programme, which no doubt we will go on to talk about, is redesigning that team and making sure that it is lean, focused and absolutely right for the purpose.



HOUSE OF COMMONS

I have taken the view that we do not need a team as large as 340. If we have the right relationships with our customers and with suppliers, we can have a smaller team. We are in the process of downsizing the team. Thus far, I think about 100 of the 340 have moved on. We had a particularly high proportion of contractors. We have been reducing the number of contractors and consultants.

Q39 **Lee Rowley:** What is the target, or the end state?

Sir Philip Rutnam: I think the target is 200?

Stephen Webb: It is 140.

Sir Philip Rutnam: Right, 140—so a significant contraction.

Q40 **Chair:** I lost track there. You said 100 have moved on.

Sir Philip Rutnam: Yes, 100 have gone so far.

Stephen Webb: Slightly more than 70 have gone so far.

Q41 **Lee Rowley:** Okay—340 minus 70 is 270. So another 130 are going in order to get down to 140?

Stephen Webb: That is the plan.

Q42 **Lee Rowley:** By when?

Stephen Webb: Probably by the end of the year. It is still a planning assumption; there is still more work needed on it, and it will go up and down during the transition.

Q43 **Lee Rowley:** Sure. What is the run rate, on a weekly or monthly basis, of this project at the moment?

Stephen Webb: For the overall programme this year, you would probably be talking about £25 million. Obviously, the large bulk of that is the payments we are making to the main suppliers.

Q44 **Lee Rowley:** Does that take into account the reduction in headcount, or is that exclusive of a reduction in headcount?

Stephen Webb: Obviously headcount is a very small proportion compared with the payments to the major suppliers.

Sir Philip Rutnam: That is £25 million per month.

Q45 **Lee Rowley:** What were the last known benefits that were published on this scheme? I am aware it has had a reset and is under change, but what were the last known benefits?

Stephen Webb: As in the quantum of benefits?

Q46 **Lee Rowley:** Yes. Number, by when.

Stephen Webb: I am not sure anything has been published. The NAO figures talked about some of the FBC—final business case—numbers.



HOUSE OF COMMONS

Broadly speaking, we are looking for some substantial cash savings once the system goes live, and a series of other benefits around productivity.

Q47 **Lee Rowley:** The number being what?

Stephen Webb: For the FBC, I think the discounted number that was quoted was around £1 billion for other benefits.

Q48 **Lee Rowley:** Over what period?

Stephen Webb: Over a 15-year operation of the whole programme.

Q49 **Lee Rowley:** Starting when?

Stephen Webb: That is discounted down, and the cash savings would have been, back then, probably around £1.5 billion over the whole life of the business case.

Q50 **Lee Rowley:** You are in a review at the moment. When we were last here, we were talking about the review being concluded in July. Is that review still on track to be concluded in July?

Sir Philip Rutnam: It is on track, yes. It is not there yet, but I am reasonably confident that it will be done to that timescale. I do not want to say more than reasonably confident because these are very complex things, but we have some very significant milestones ahead of us that we are working towards, including a major projects review group discussion towards the end of July. Obviously I have set milestones along the way, and we will do our absolute best to make sure that we are ready for that.

Q51 **Lee Rowley:** Why are we one month out from a six, seven or eight-month review and only reasonably confident that it will be concluded by the date stated to us in February?

Sir Philip Rutnam: I think, first, that it is best not to over-promise.

Lee Rowley: There is certainly no danger of that on this project, is there?

Sir Philip Rutnam: Secondly, I am aware of the huge complexity of this programme and the fact that it comprises many interdependent parts. I have seen good progress on a number of those interdependent parts, but I want to see more progress on some of them.

Q52 **Lee Rowley:** Who is running the review for you? Is it Mr Webb or somebody else?

Sir Philip Rutnam: The structure is that Stephen is the senior responsible owner—SRO—so has overall responsibility for this, and we have brought in a new project director called Bryan Clark who has many years of experience in complex technology programmes. He is working 120% of his time on the review.

Q53 **Lee Rowley:** If he has many years of experience, why can we not guarantee the end of July as the end point? Do you have all the data you need, yes or no?

Sir Philip Rutnam: Some of the factors are—

Lee Rowley: Do you have all the data you need?

Sir Philip Rutnam: There is always more data that one would want. Do we have the data that I think is likely to be needed to make some key judgments? Yes, but there are still some key elements outstanding. In particular, there is a significant set of commercial negotiations around this programme, as we have discussed before, which are obviously not fully under our control, because there are counter parties.

Q54 **Lee Rowley:** So you have all the data you need. Have you produced the options paper?

Sir Philip Rutnam: I did not say that we have all the data we need. Do we have options papers? Yes, we have options papers. Do they need further development? Yes, they need further development.

Q55 **Lee Rowley:** Have the alternative scenario plans been looked at?

Sir Philip Rutnam: Yes.

Q56 **Lee Rowley:** So what variable is preventing you from getting to the end of July, other than the commercial negotiations?

Sir Philip Rutnam: The commercial negotiations is a very important one.

Q57 **Lee Rowley:** But that is not a new variable. You knew about that variable in February and when you started this. The question is: why are we at the end of June and we are not sure if we will get to the end of July?

Sir Philip Rutnam: I did say that commercial negotiations are down to more than us. It is a multi-sided business. The other thing that I need to be clear about is that there are many levels of governance that this programme needs to go through beyond just those under my control, including my own Ministers, the Treasury and the Cabinet Office. We are not yet in the thick of those levels of governance. Again, that is another reason for not over-promising. Stephen might want to add some more detail.

Q58 **Lee Rowley:** Just so I am clear, for a project that is years late and possibly significantly over budget—we will come on to that in a moment—you are now telling me that the review of that project does not have a clear timeframe and does not have a clear objective to meet or by when?

Sir Philip Rutnam: No, I do not think I'm saying that at all. We set a timeframe—the end of July. That was discussed at the hearing in February, for which I apologise for not being able to attend. You asked me whether I could guarantee that that date would be met. I declined to guarantee it but said that I am reasonably confident. That is an assurance, but is not a 100% guarantee, because I do not think such a guarantee, on something as complex and multi-sided as this, is a wise thing to do.

Q59 **Lee Rowley:** Everything is complex and everything is multi-sided. That is the reason why you have a project director with many years' experience



HOUSE OF COMMONS

in place. I am surprised that, for this multi-month and complex review, we are getting to the end of June and we are still not sure that we will achieve an output to that review.

Sir Philip Rutnam: The project director is under no misapprehensions at all—nor is Stephen nor anybody else working on this programme—that we expect to conclude this review by the end of July.

- Q60 **Lee Rowley:** Moving on, on 30 May, *The Register* printed an article called, “Britain mulls ‘complete shutdown’ of 4G net for emergency services”, written by a journalist called Kat Hall. Is that article right or wrong?

Sir Philip Rutnam: I think that article is an exaggeration and is misleading, as things so often are in journalism. The position is that, as we are in the process of resetting the programme, we will look at alternative options. You mentioned the need for options analysis earlier. It is always—always—an option in a programme to consider not proceeding with it. It is wise to consider that option. It is one of the central set of scenarios that one needs to test. Is that what we are intending to do? Is that what we are aiming to do? No, for two very simple reasons—

- Q61 **Lee Rowley:** We will come on to the options in a moment. You have told me so far about one thing in the article, which was the close-down. You are not contesting that you are discussing that, so the article is accurate in that place. Where is it inaccurate?

Sir Philip Rutnam: I said it was an exaggeration, and I think that that is—

- Q62 **Lee Rowley:** You have just told me you are considering closing it down, and you told me it was wise to consider closing it down. The article says you are considering closing it down.

Sir Philip Rutnam: A lot is to do with the way in which one presents things and the emphasis that is put on different options. As I was about to explain, we are very clear that the strategic intent behind the emergency services network remains the right strategic intent. We need to move the technology that is underpinning emergency services communications from its essentially rather historical—reliable, but historical—effectively 2G environment to a modern, adaptable 4G technology that is capable of providing much greater functionality at much lower cost.

Lee Rowley: We do not need to go into that right now.

Chair: We know the detail.

- Q63 **Lee Rowley:** To go back to my question, where is this article “exaggerating” or “misleading”?

Sir Philip Rutnam: I am afraid I do not have the article in front of me, so I cannot do a—

- Q64 **Lee Rowley:** I am happy to go through it. Is it that you have options papers, one of which is that there is an incremental roll-out of ESN? We



HOUSE OF COMMONS

know that the other bit is correct, because the second option is an effective shutdown of the ESMCP. So we know that is right—I will put a tick against that. You have a first option that suggests an incremental roll-out of ESN. Is that correct?

Sir Philip Rutnam: You asked about inaccuracies. I think the statement, for example, halfway down the first page, “Airwave may need to run for another five to 10 years until it is ready”, is an overstatement. Are there circumstances in which such a thing could happen? There are potentially circumstances, but is it an accurate statement of the central hypothesis? No, it is not.

Q65 **Lee Rowley:** List the inaccuracies for me. We can go through them in a moment if we want to deal with them. That one is an exaggeration. Where else is there a problem in here?

Sir Philip Rutnam: On the second page—at least in the pagination I have—it says, “there are also issues around the new devices being rigged up for push-to-talk.” There are always issues, but that is not an accurate account of the technological position. Stephen could speak to that. We have indeed demonstrated and tested the push-to-talk capability on a number of occasions and are very confident in the ability to deliver it.

Q66 **Lee Rowley:** Fine. We are accepting that there are issues, but we are not sure there are issues. Anything else?

Sir Philip Rutnam: As I say, a great deal is to do with presentation and emphasis.

Q67 **Lee Rowley:** I get your point that you are concerned about the presentation and emphasis, and I understand that from your perspective, in terms of this being one of your largest projects and not going particularly well. If we put the emphasis away for the moment, where else is this article inaccurate?

Sir Philip Rutnam: I have already picked out two points that I think are inaccurate in their emphasis.

Q68 **Lee Rowley:** The cost of extending Airwave that was suggested was between £360 million and £475 million. Are those numbers you recognise?

Sir Philip Rutnam: I will ask Stephen to pick that up.

Stephen Webb: They are two different numbers. The £475 million was a number quoted by the NAO, and that was not just the cost of Airwave but continuing with the cost of mobile broadband in forces.

Q69 **Lee Rowley:** So you are not contesting that you are looking at significant changes to the structure and delivery of this? That is an accurate representation?

Sir Philip Rutnam: Of what—of the ESN programme?

Q70 **Lee Rowley:** Yes.



HOUSE OF COMMONS

Sir Philip Rutnam: Far from it. We have been saying that for many months, including to this Committee.

Q71 **Lee Rowley:** And you are not contesting the reduction in contractor support, because we have spoken about that already.

Sir Philip Rutnam: No, we are actively pursuing that.

Q72 **Lee Rowley:** Fine. *The Register* is not that far off, then, in the underlying statements it is making.

Can we go to the actual work you are doing? You are currently talking about delivering something in July or thereabouts, with reasonable confidence. What is that likely to say? What could it say?

Sir Philip Rutnam: You said *The Register* is an accurate—or reasonable—account. There is one fundamental point that I think I was prevented from developing in full, which is that the strategic intent behind the ESN programme remains the right strategic intent.

Chair: You have said that.

Sir Philip Rutnam: You will be familiar that in any complex programme it is right to keep options under review. It is part of the process.

Chair: You have made that point and I do not think Mr Rowley disagrees with you.

Q73 **Lee Rowley:** The article says that—your own spokeswoman says that. So you are just aligning with what the article says. Fine, I accept that. Let's bake it into the discussion.

Let's go into the review itself. What is it likely to say?

Sir Philip Rutnam: The review is being conducted internally at the moment within the Government. It is not yet complete. I have given you a pretty clear sense of the intent behind the Home Office's approach. We have talked—in fact, before this Committee—about the reset in terms of taking a more incremental approach to delivery. I am happy to talk about that in more detail. I am not happy to talk about some elements of the review, though, including the commercial dimension, because that remains very sensitive.

Chair: Mr Rowley is asking about which bits you want to talk about. That is fine.

Q74 **Lee Rowley:** What is the review likely to say on dates?

Sir Philip Rutnam: On dates?

Lee Rowley: Yes.

Sir Philip Rutnam: I do not want to get into giving specific dates at this point, because, until the review has been completed and through the governance to which I am accountable, I think that would be premature.



HOUSE OF COMMONS

Q75 **Lee Rowley:** Okay, let's try to break that down. Correct me if I am wrong: we know that this will not deliver on the original timeframes.

Sir Philip Rutnam: Yes.

Q76 **Lee Rowley:** Mr Webb is nodding. We know there is at least a 15-month delay—correct? That was the last statement I read.

Stephen Webb: I think there was a statement—

Chair: You wrote to us on that, actually.

Q77 **Lee Rowley:** So that is into 2022 on its own—correct?

Sir Philip Rutnam: Actually, I think it is worth talking about what an incremental approach means.

Lee Rowley: No, no, no.

Sir Philip Rutnam: It is worth talking about—

Lee Rowley: No, it's not.

Sir Philip Rutnam: Because under an incremental approach—

Chair: We can get into that detail, but we are trying to talk about when the whole thing will be finished.

Q78 **Lee Rowley:** I am happy to talk about incremental, but if it was 2020 and there is a 15-month delay, ergo it must be 2022—right? Notwithstanding what you may uncover in a moment, the last known date was 2022—correct or incorrect?

Sir Philip Rutnam: Under an incremental approach, in fact some products will become available sooner. So the—

Chair: But we are talking about the rollout of the whole programme.

Lee Rowley: I understand that.

Sir Philip Rutnam: The date—you understand that. Good.

Chair: We are going to get into that detail in a minute.

Q79 **Lee Rowley:** As an ex-budget manager, I understand the definition of incrementalism. What I am asking for is the end point for this project. If it was 2020, add 15 months and it is 2022—correct? Now, tell me whether that date is likely to move any further on the basis of your assessments. You don't have to tell me the quantum; just tell me whether it is going to move.

Sir Philip Rutnam: I have to say, I think we should complete our review before giving you an assessment of the likelihood of that.

Q80 **Lee Rowley:** I am not asking for a detailed assessment; I am asking for a direction of travel. Is that date likely to move?



HOUSE OF COMMONS

Sir Philip Rutnam: My view is we should complete our internal review before giving you an assessment of the likelihood of a particular date.

- Q81 **Chair:** Sir Philip, we appreciate that you have got a review coming through and, whether public or not, you will make an announcement about it. Since you came into post, you have said you would do a review, which was going to be in January. In fact, I think I recall that you were not so keen to give evidence to us because you thought that would overlap with the review. That review is not going to be ready until July. So you have been looking at it for some time and you must have an idea of the general direction of travel. Mr Rowley is not asking for specifics.

To be honest, we have had other people in front of us before who have said, "Yes, there is going to be a problem. There will be more slippage." It is better to tell us now than for it to come out later. It may well be the case; it is a complex project.

Sir Philip Rutnam: I understand that, and I recognise my duties here, but I also have duties to Ministers and I have duties to those who have to account for the public money that is put into this. I think that when I have not yet had the opportunity to go through the options you talked about and the timescales in detail with Ministers—because the review is still in progress—it is premature.

- Q82 **Chair:** Okay. So you are saying you have not been able to brief Ministers on this.

Sir Philip Rutnam: Because the review is still in progress. Of course, we have briefed Ministers and the new Home Secretary to some extent, but we have not yet taken him or other ministerial colleagues through the level of detail which you are now asking for. I understand why you are asking for it.

- Q83 **Lee Rowley:** Do you know whether the date is likely to slip? Let's move back a moment and assume you do not even have to tell me the answer. Do you know the answer?

Sir Philip Rutnam: Of course, I have been testing the project team. Is my testing of the project team on questions like that at an end? No, it is not.

- Q84 **Lee Rowley:** I can derive one of two conclusions from that. Tell me which one is correct—I am sure you will tell me it is a third, but bear with me—either you do not know the answer, so my question is, what has this review been doing for six months, or you do know the answer, but you do not want to tell me. Which one is it?

Sir Philip Rutnam: As I have said, I have been testing the project team. In a review like this, you would expect the project team to be focusing critically on questions like the timescale for delivery—not just the start, but the end—and you would expect me to be testing it. As I have explained, I have not yet finished my testing of that, nor have I yet been in a position to brief Ministers, as I think I should, on the substance of it. So the answer is, yes—



HOUSE OF COMMONS

Q85 Lee Rowley: I am concerned for the health of your review. We already have a project that is problematic and, at the moment, you are not giving me a clear answer to the question about whether your review is giving you the answers you need to make those recommendations to Ministers. Give me some comfort that you will actually be able to make recommendations to Ministers—that your review is working in that regard—and therefore, that you know the answers to some of the questions, but you just do not want to tell us.

Sir Philip Rutnam: I can give you comfort on that. I am satisfied with the quality of the work that is being done. There is definitely more to be done, but I am satisfied that the work is of the right sort of quality in terms of detail and the breadth of vision and scope.

Q86 Lee Rowley: Will this review revisit the costs and benefits analysis?

Sir Philip Rutnam: Necessarily; of course. That is an integral part.

Q87 Lee Rowley: And you will publish that information or give it to this Committee?

Sir Philip Rutnam: The first duty we have is to Ministers. I mentioned the MPRG that is coming up. The Treasury also has a clear interest. All those things, and the important decisions that go with that kind of governance, need to be done before we publish anything.

Q88 Lee Rowley: Okay. To ask the question again, will you be publishing this—yes, no or I do not know, because somebody else has to tell me whether I can or not?

Sir Philip Rutnam: It is certainly not my decision. The National Audit Office will do a Report on this programme from the summer break onwards, so there will clearly be an independent NAO Report published on it. I am sure the Government will want to publish something. I am absolutely sure of that. What that will be, and when, I do not know. I am not in a position to commit, to be honest, because it is a matter for Ministers, and as I have explained, we need—

Q89 Lee Rowley: That is a policy decision. I am asking you questions about facts and whether or not you have come up with a view as to whether the dates will slip. That is a factual question, not a policy decision, so it does not require ministerial input.

Sir Philip Rutnam: It is a factual question, but as I have explained, I have a duty to engage with Ministers and spend time with them on an important issue like this, before I start sharing the information in public.

Q90 Chair: You are saying that Ministers do not know at this point. Although you have been doing the review for six months, you are saying that Ministers do not have an idea of an answer to that question.

Sir Philip Rutnam: Of course Ministers have been briefed, but we set a deadline—a date for completing the review—of the end of July. It is now the end of June, so the review is not yet complete and there is more work to be done.



Q91 Chair: You seem to think that Mr Rowley is out to attack you just for the sake of it, but what we are saying is that this is the fifth time we have asked questions about this. We have been reading through all the transcripts of what we said before, and much of what we asked about then came to pass. Mr Rowley is just asking, on the basis of all the work we have done and all the work you have done looking at this, whether you think it might slip again. It might not, but is there a possibility that it might go beyond 2022? You were talking about an incremental roll-out, to go back to that point, but if you are going to do it differently, it might mean that you slip because you are testing it at different steps along the way. That might be a good thing and you could make a case for that.

Sir Philip Rutnam: It might well do. I hope that if and when we get the chance to explain how an incremental roll-out would work, the attractiveness of it, in terms of providing additional services and building user confidence, would become clear, but it needs to be seen in the round.

Q92 Lee Rowley: I am very happy to talk about incremental roll-out, although I do not need a definition of it. Tell me what your thinking is in terms of how you deliver this programme incrementally?

Sir Philip Rutnam: Mr Webb can pick that up.

Stephen Webb: We have a series of user needs between the critical data part of the solution and the critical voice. It is increasingly clear that, actually, the network is in a good state. EE, over the ESN, is in a position, pretty much now, to offer prioritised, highly robust critical data, and a number of our users are interested in taking that now.

Q93 Lee Rowley: Is there a pilot? Tell me the detail.

Stephen Webb: We are going to do more than pilot. Potentially, you could start rolling that out really quickly, pretty soon, to some of our users.

Q94 Lee Rowley: How would you do that?

Chair: By region?

Stephen Webb: It would actually be by those customers, those users, who are interested in taking it, so maybe by ambulance trusts, by elements of the fire service, on the data side. We are talking to our customers about who is interested.

Q95 Chair: Can you just be clear? Would that be regionally, or could it be an ambulance trust alone in an area where a police force and fire service wouldn't?

Stephen Webb: We are probably not doing it strictly by region, because if you are an ambulance trust and you have mobile data terminals that are due for a refresh, it is a relatively simple issue to put one of the ESN SIM cards in as it goes in, and then you have far better data quality. Ambulance trusts are one group that I am noticing are reaching the borders of what they can do with commercial broadband as it stands, so they are interested in this.



HOUSE OF COMMONS

On the critical voice side as well, there is a recognition that our users have a range of requirements. There are some users for whom a relatively early stage product may well be enough and may well be something they are very interested in using.

Q96 **Lee Rowley:** What would be an early stage product?

Stephen Webb: Well, there are push-to-talk, mission-critical products out there in use.

Q97 **Lee Rowley:** You are not really answering my questions. You are a month away from delivering the review. You will know what the answers are to these questions, because you have done the replay. This was accepted in February. So what is it incrementally—how are you going to chunk this project up?

Stephen Webb: Again, the idea is that some users may be prepared to take an early voice product.

Q98 **Lee Rowley:** Which users?

Chair: You mentioned ambulance trusts.

Stephen Webb: That was for data. We are particularly talking—

Q99 **Lee Rowley:** Sorry, but is it that the ambulance trusts have agreed to do that and are going to be your pilot users on this, or that you are still having a discussion about that now?

Stephen Webb: They are pretty committed; we are pretty clear that they will be using on the data side. On the early stages of voice, we are into advanced discussions—in particular, I think, with one of our own agencies, Immigration Enforcement.

Sir Philip Rutnam: *indicated assent.*

Q100 **Lee Rowley:** So on those two examples, when would you expect them to be rolled out under your incremental plan?

Stephen Webb: That is something we are still in the final versions of planning. It is partly picked up in some of these commercial discussions.

Q101 **Lee Rowley:** Give me a range.

Stephen Webb: On data, we should have a very good chance of getting something out this calendar year, and the early versions of critical voice around the turn of the year.

Q102 **Lee Rowley:** So by the end of this year, you will start an incremental roll-out with an ambulance trust or a number of ambulance trusts, or conclude an incremental roll-out with an ambulance trust or a number of ambulance trusts?

Stephen Webb: It will depend on where the ambulance trusts are in their upgrade. They have a fairly national—a co-ordinated national programme.

Q103 **Lee Rowley:** But you will have done your critical path independent



HOUSE OF COMMONS

assessment—

Stephen Webb: Yes; it will be starting with one and then working over a period—

Q104 **Lee Rowley:** What's the answer to the question?

Stephen Webb: It will be kicking off with one and then working out—

Q105 **Lee Rowley:** Where would we be by the end of the year on that?

Stephen Webb: We would be starting by the end of the year.

Q106 **Gareth Snell:** I'm just going to inquire into something on the back of the excellent questioning by Mr Rowley. Sir Philip, you said that Ministers were not told. In your mind, do you have a date when you are going to be briefing the Ministers?

Sir Philip Rutnam: I did not say Ministers had not been told. I said that I thought I should, before I—

Gareth Snell: That is not the question. Do you have a date by which you expect Ministers to be fully informed of the outcome of the review, which would then allow you to give answers to Mr Rowley's questions?

Sir Philip Rutnam: We are in discussion with Ministers, as you would expect. We have had discussions with Ministers in the last two weeks, and there will be more discussions with them during July as this review heads towards completion.

Q107 **Gareth Snell:** Again, I am asking specifically: at what point, Sir Philip, do you believe you will be in a position where you would be ready to give a full report to Ministers on the content of that review?

Sir Philip Rutnam: That is integral to finishing the review, and as I said earlier, I am reasonably confident we will do that by the end of July.

Q108 **Gareth Snell:** By the end of July.

Sir Philip Rutnam: No later.

Q109 **Gareth Snell:** At which point, you would be able to come back with the answers to the questions that—

Sir Philip Rutnam: I am here under the direction of Ministers, obviously, so I would want to—in principle, the answer is yes, but I do just need to reserve my obligations to Ministers.

Q110 **Chair:** Let us be clear. Obviously, Ministers decide policy, and the policy of the Government is to roll out the emergency services network to replace the Airwave network. That was a given whenever we first started looking at this. The policy decision has been made, so are you informing Ministers of operational issues or are you asking them, will you be asking them, do you think, to make decisions about any changes to that policy?

Sir Philip Rutnam: They are ultimately responsible for this programme, and they need to make the key decisions.



HOUSE OF COMMONS

Q111 Gareth Snell: Surely what you are saying, Sir Philip, is that the review will be undertaken and that information will be presented to Ministers. I entirely understand that you want to give the full answers to those sorts of questions to Ministers before you give them to us. Once that information has been passed to Ministers, the outcome of the review will not change, because the review will have been done. Therefore, the questions you have quite legitimately been asked this afternoon could be answered in full after Ministers have received the same information.

Chair: Mr Snell is trying to timetable our next meeting.

Gareth Snell: No, not at all, Chair.

Sir Philip Rutnam: I recognise that—or a letter from me or something like that. I recognise the point and hear what you say. In any event, there will be NAO scrutiny. I am sure we will need to make the substance of the review that we have undertaken clear to this Committee.

Q112 Caroline Flint: How much longer will Airwave remain operable?

Stephen Webb: It will remain operable for as long as we need it. We are in discussions with the providers, and we are confident that the necessary investment will be made to keep it working.

Q113 Caroline Flint: I seem to recall that, last time we looked at it, Motorola raised the issue that there needs to be a two-year refit that could cost more money. In February this year, the Home Office said that a solution had been found to no cost at all. Is that still the case?

Stephen Webb: That project is continuing. It is between Motorola and one of its main subcontractors, along with Vodafone. A new system is being put in place that will replace the time division multiplex system that Vodafone is planning to withdraw. We are getting regular reports on the progress of that, and we are pleased with it.

Q114 Caroline Flint: In that sense, what level of risk are we exposed to if discussions with Motorola and Vodafone break down?

Stephen Webb: An agreement has already been made between the two, and the work is proceeding as we speak.

Q115 Caroline Flint: So you don't think there is any risk of that breaking down?

Stephen Webb: No. Vodafone is the one providing the TDM service, and it is helping to provide the new service as well. We do not expect the old TDM to be turned off until the new one is ready. As I say, good progress is being made.

Q116 Caroline Flint: What if there does have to be a partial roll-out, which might extend the period that we still have to use Airwave? Would there be additional costs to extending Airwave?

Stephen Webb: We have a contract that already has some provisions for costing extensions, and so on. As you can imagine, that is a major part of



HOUSE OF COMMONS

the commercial discussions we are having with Motorola at the moment. That is one of the causes of the delay, and it is coming right up to the end. We are obviously holding out for the best possible deal for the taxpayer in these discussions.

Q117 Caroline Flint: You have allowed, within the contract, some contingency for Airwave having to be used for an extended period. Does that include extra costs, and do we know what they are?

Stephen Webb: The way the contract works—it is a PFI—is that the charge we pay every year includes a contribution to paying off the capital that was needed at the beginning. We discussed this at a previous Committee. Our strong view is that the charge already includes a component for whatever capital investment is needed to run the network. We would not expect to pay anything more than we are paying at the moment. In fact, we would argue that it is less for a short extension.

Q118 Chair: You are in an interesting position. I appreciate you are in commercial negotiations. We will now move on to the border and Brexit. Last time you came in front of us, Patsy Wilkinson was still with you. Of course, she has now left. Has she been replaced yet?

Sir Philip Rutnam: No, she has not been replaced. The post is vacant at the moment. However, the recruitment process is well under way. A job ad is out on civil service jobs, and applications close at the start of next week.

Q119 Chair: Who has replaced her on the border planning group in the interim?

Sir Philip Rutnam: Patsy was co-chairing the border planning group with Jon Thompson of HMRC. Paul Lincoln, who was already attending, is now co-chairing it with Jon. We also have Glyn Williams, who is the policy DG covering the borders and immigration system. He also attends the BPG.

Q120 Chair: He is attending in addition—so where you used to be, Mr Lincoln.

Paul Lincoln: Effectively, there are three Home Office representatives at that meeting at any time. We also have representatives from the Office for Security and Counter-Terrorism as well to ensure we cover the breadth of Home Office business.

Q121 Chair: One of the challenges we will face as we leave the EU, under whatever scenario, is that the EU could restrict access to intelligence and data. We have already seen some rumblings recently on that. Mr Lincoln, given that you chair that group—and with your day job hat on—what plans have you got in place to cope if the EU does restrict access to that intelligence data?

Paul Lincoln: I will start, as you might expect, by saying that the Government is not expecting there to be no deal. The Government has set out a set of plans for an ambitious security relationship.

Q122 Chair: But even if there is a deal the EU could restrict information and access to intelligence data.



HOUSE OF COMMONS

Paul Lincoln: The Government's plan is still to have a comprehensive, deep and special relationship, in accordance with security and intelligence matters. That said, of course the Department is looking at the implications of the possible mitigations if some of those tools were not available to us. It has done a comprehensive range of work to examine what those implications might be, including on the systems we operate.

Q123 **Chair:** That is a lot of words, but, practically, what does it mean if you do not have access to Prüm, for instance, or Europol? I am trying to remember, from the days when I was dealing with these things, all the different agencies involved. If you do not have access to that—the database of fingerprints and so on—how, practically, can you keep this country safe, or as safe as it has been with that information exchange, if you do not have it? You say you have plans in place. What plans? What would you do if there was no deal?

Paul Lincoln: As the Department have been working their way through, they have been looking at potential mitigations for that—so, for example, using increased range of data from organisations such as Interpol, rather than necessarily relying on data sources which we have elsewhere. We will use that to try to mitigate the effect of the reduction in service, as it were, from the EU.

Q124 **Chair:** We can have people coming into this country, though, who we cannot—for instance, will the fingerprint system that operates under the Dublin convention operate? If someone came to this country and had presented somewhere else for asylum, what would happen there?

Paul Lincoln: The UK has one of the largest DNA databases, which we have access to—

Q125 **Chair:** That is for people who have been in the UK.

Paul Lincoln: And we will continue to use those databases. We will continue to use things like the Interpol lost and stolen passport database, which is one of the critical pieces.

Q126 **Chair:** What I am saying is if you wanted to check—if someone's fingerprint is taken because they presented for asylum, that would normally be checked through the system to see if they had presented elsewhere in the EU. What are the plans if we are not able to share that information? Obviously we will have a different arrangement on asylum, and that is all yet to be discussed, no doubt, but what would be the practical issues about how you would deal with that?

Paul Lincoln: Fingerprints are not, of course, the only way in which we look at these kinds of things. The databases we use will record data from a range of different sources, including whether or not there are public records of people committing criminal activity and the fact that they have UK data.

Q127 **Chair:** Maybe I am not making myself very clear. Public records, DNA databases and so on—the police national computer systems and all the rest of it—are all inside the UK. That is people who are either British



HOUSE OF COMMONS

citizens who may have got caught up in that, or non-British visitors or residents who have got caught up in that. That is not the same as having access to EU databases, so what happens if we lose that access? You talk about mitigations being put in place. Can you give us a bit more detail about what mitigations will be put in place? You only seem to be referring to internal UK systems at the moment.

Paul Lincoln: Those are not only internal UK systems. Interpol is a good example. We also do a significant amount of sharing, in terms of data, with our “Five Eyes” partners to make sure we are able to track people who may have been a concern. We will continue to do sharing through mechanisms such as the Counter Terrorism Group, which of course is based on bilateral intelligence-gathering mechanisms. We would continue to enter relevant data from those international forums into our UK databases so that we maintain the maximum amount of international data that we are able to then apply to our watchlisting systems.

Q128 **Chair:** How quickly can you integrate those into UK systems? That is quite interesting.

Paul Lincoln: We are currently doing the work as to how long it will take to change any of those systems, so I cannot give you a precise date here, but that is part of the contingency work we do. I will go back to the point that Sir Philip made, though, that there is a difference here, in any case, in looking at an implementation period rather than necessarily at 29 March next year, and during that period we would expect to continue to use all of those databases that now exist.

Q129 **Chair:** So we are nine months out of Brexit, but, as you say, we could be three years out from any exit from some of these systems. Let us hope we do not have no deal, but if there is no deal in one year and there is a deal in three years, is that time enough to move data and information into UK databases? Is the legal framework there that allows that to happen?

Paul Lincoln: Some of those systems I have talked about: the Interpol system will continue to be the case, and we already do that. Things like the Counter Terrorism Group and data that comes into our intelligence agencies already happen on a bilateral basis, and those agencies can enter directly on to our watchlist systems.

Q130 **Chair:** What about the EU systems such as Prüm and Schengen and so on?

Paul Lincoln: Schengen is a particular question that we are, of course, looking at as we consider what the mitigations could be for that. I don't know whether there is a lot I can add on that particular question.

Chair: And Prüm?

Sir Philip Rutnam: Can I add a little bit to what Mr Lincoln said?

Chair: What about Prüm?



HOUSE OF COMMONS

Sir Philip Rutnam: In relation to Prüm, the UK is in the process of joining the Prüm DNA database, bringing our very large volume of DNA records to join the DNA records that are available through Prüm.

Q131 **Chair:** What happens after Brexit then? It has taken a long while to join Prüm.

Sir Philip Rutnam: It has taken considerable negotiation as well. Taking a step back, I need to reiterate the point that Mr Lincoln has already made: it is clearly the Government's intention and preference to make a deal with the European Union. We think, in relation to these security-related instruments, it is strongly in the interests of both parties to reach a new security partnership that allows these instruments to continue and also allows the relationship to be dynamic and to continue to develop.

Q132 **Chair:** Okay, we know that. We have read that in the papers. We know that those discussions have been going on. The Government have made their position clear. As you said, that is a policy decision that most people would think is sensible. If you do not have a deal, how quickly can you put mitigations in place? Mr Lincoln, you have talked about mitigations, but you have not given us details about that. You can just work with the ones at Interpol and some of the others you have talked about, but with the EU ones, you could not just replicate those EU systems in the UK overnight, so what is the plan?

Paul Lincoln: The situation is different for each of the tools, and each one of those might take a different amount of time and a different method to mitigate.

Q133 **Chair:** So we could have a gap, even with a transition period when we leave and having mitigating measures in place.

Paul Lincoln: I think it is unlikely that during the course of an implementation period we would not be able to put in place the mitigations we have been developing.

Q134 **Chair:** So they are simple things to do. Is it just a flick of a switch, or do you need a whole new IT system to do this? What are the practical things you have to do?

Paul Lincoln: In some cases, it would simply be asking different agencies to add data to our systems. In other cases, it may be looking at—

Q135 **Chair:** You say "simply" adding data to our systems—through what mechanism? Do they press a button on their computer and it wings through some secret channel to you? Do they send a memory stick? Can you just talk through what happens, Mr Lincoln? You are operationally dealing with this.

Paul Lincoln: I am not going to get into the specific details—

Q136 **Chair:** I am not asking you to reveal any security secrets. We have inside knowledge of that in the Committee.



HOUSE OF COMMONS

Paul Lincoln: But we do have individuals who are already directly entering data about people of concern into our systems, which we then use to detect people as and when they try to cross the border.

Chair: I think we probably need to delve into this a bit more.

Q137 **Gareth Snell:** Briefly, I want to make two points to Mr Lincoln. You just said that, as part of the implementation transition period when we have a deal to leave the EU, it may be that other agencies put data into your systems. Is the cost of that additional work for those agencies being covered from the contingency budget you spoke about earlier, or will it be borne by those agencies from their internal budgets? Is there a separate fund available for that?

Secondly, without getting into the policy arrangements for what the border looks like at Northern Ireland, what are you doing practically at the moment to look at preparations for the multitude of potential options around Northern Ireland?

Thirdly—

Chair: One question at a time.

Gareth Snell: Briefly.

Chair: No, we can bring the third point in later; otherwise we will lose track.

Sir Philip Rutnam: I think I should cover the funding question, and Paul can pick up on the Northern Ireland question. Within the £395 million we are allocated by the Treasury in relation to EU exit, there is some funding in relation to contingency measures around law enforcement and national security. There is some funding.

Paul Lincoln: In the case of Northern Ireland, the major issues that surround what we might do there that are still outstanding include the chosen model for a customs partnership—there are still two models on the table—and whether there will be a highly streamlined customs arrangement with the relevant derogations for Northern Ireland. That said, both parties—the British Government and the EU Commission—do not want to see a hard border between Ireland and Northern Ireland. If we take that as a given factor, what we are looking at in terms of preparations for ports and airports in Northern Ireland are effectively the same as what we would be looking for in the rest of mainland UK.

Q138 **Gareth Snell:** Okay. The point I was going to make—Sir Philip, you mentioned it as well—is that you said there was some funding in the £395 million. Can you tell me exactly how much? Importantly, on the Northern Ireland issue, given that the technological or human solution necessary to enforce or not enforce a border, whatever format it might take—depending on a customs union or single market arrangement, or no deal and so on—how many scenarios are you planning for and what is the cost of that? We could find ourselves planning for scenarios that simply



HOUSE OF COMMONS

will never be needed, therefore we would use vast sums of public money putting preparations in place for a border system with Ireland that actually is not needed. I am just conscious of how much money we could be spending preparing for scenarios that may or may not exist.

Sir Philip Rutnam: I will deal with the first point and perhaps Paul can bring up the second point. I am not in a position to give you a figure now for how much of the £395 million is potentially to be spent on this area of contingency planning. If I may, however, I will take your interest in that point away and see whether I can write to you with more information. At the moment it is not public.

Gareth Snell: Thank you.

Paul Lincoln: In terms of looking at different scenarios, individual Departments are, of course, looking at the range of different scenarios. They are looking at no deal and an implementation deal, and the two customs models as part of that. Each Department is giving advice to its own Ministers as to what the implications will be of keeping a particular range of options open as part of that process. It is for individual Ministers to take decisions around—

Chair: Well, you say it is for individual Ministers.

Q139 **Gareth Snell:** From a purely value-for-money perspective, who is co-ordinating that issue? Different Ministers could be getting different advice from different departmental agencies on the Northern Irish border, all of which will, presumably, require you to model various different scenarios and start putting infrastructure in place at great costs. Who is controlling those costs and who is ultimately responsible?

Paul Lincoln: In terms of the specific costs around ports and airports, the Government's position has been that if we are changing things such as infrastructure, as is currently the case, the starting point is that those ports and airports would be expected to pay the costs of that. That is precisely why we have started a systematic engagement with all relevant ports and airports, to discuss with them what the implications of any changes at EU—

Q140 **Chair:** Wait a minute. We have looked at this a number of times before and there is no infrastructure being built at the ports. The seaports are particularly problematic because there is no space. We have witnesses in front of us from different Departments telling us basically that there is no plan to do that physical work. We had Jon Thompson from HMRC in front of us, saying that if there is no deal, the choice will be between security, trade flow and revenue. I can guess which side you would fall down on Mr Lincoln. You co-chair this planning group with him. As Mr Snell has said, how will anyone choose? If individual Ministers are making those decisions, will the Prime Minister or the Cabinet end up making a decision about those three options? Would you be happy, as the head of Border Force, if trade flow wins out over security?



HOUSE OF COMMONS

Paul Lincoln: That particular set of options is a decision for the Prime Minister, who chairs the committee on strategy and negotiations. Of course, there has been a discussion with Ministers on that set of issues—collectively and individually—and around what those options might be.

Q141 **Chair:** How are you making sure that you are a priority?

Paul Lincoln: From the perspective of looking at what Border Force does in this particular case, we already look at individual passengers who are coming into the country, everybody who is on scheduled flights, and we will continue to do so. In terms of goods, if you take somewhere like Dover and Calais, and all incoming ro-ro traffic that comes into Calais, we have a range of different measures that we use, including passive millimetre wave—

Chair: We know what you do now.

Paul Lincoln: And we will continue to do that.

Q142 **Chair:** So there will not be any problems. That will still be okay, even if there is no deal and no customs arrangement.

Paul Lincoln: We have seen no evidence that would change our assumptions of that being what we would continue to do.

Q143 **Chair:** Right, so there will just be longer queues. A couple of minutes' delay causes huge backlogs.

Paul Lincoln: Those are the practices that we currently undertake and we would expect to continue to undertake in the future.

Q144 **Chair:** So you are just saying that you will carry on regardless. You will keep checking the flow of goods coming through in the way that you do now, even though customs checks could increase fivefold when we leave the EU. I am bit puzzled. Perhaps I have missed something. Please explain it to me.

Paul Lincoln: I think it is probably worth trying to separate out the time frames. On a day one no deal—I think this is what Jon Thompson, chief executive of HMRC, was saying—at that point there will be a specific question around that.

Q145 **Chair:** So you agree with him that on a day one no deal, there will be a choice between security and trade flow.

Paul Lincoln: On a day one no deal, the Ministers have said that their objectives for the border are security, flow and revenue. Those are the three objectives that we are looking at. As I said, we will continue to focus on security on day one of no deal.

Q146 **Chair:** Would you say the order is security, trade flow and revenue?

Paul Lincoln: Yes.

Sir Philip Rutnam: I do not think it is right to think of security being traded off against flow and revenue.



HOUSE OF COMMONS

Q147 **Chair:** Mr Thompson said it is a choice between security, flow and revenue.

Sir Philip Rutnam: I would characterise it as that we already manage the border to protect the country's security. We would continue to do so under all scenarios, so as Paul says, the arrangements that we already have in place at the border for checking flows of people and goods for security purposes would remain.

Q148 **Gareth Snell:** Sir Philip, I understand what you are saying. I think we will have a deal, but the deal will still imply some element of change to our arrangements for customs goods. What I am hearing from Mr Lincoln is that we will carry on with the existing processes. As the Chair points out, the same existing processes might apply to a greater number of vehicle checks, which means that potentially there will be additional costs. Is there sufficient capacity in the system now to just absorb that at no additional cost?

Paul Lincoln: I was just trying to explain that we need to look at this in two different time frames. If you are talking about a day one no deal, we would continue to do what we are doing with a pragmatic, risk-based approach to security that is robust, as we have already described.

Q149 **Gareth Snell:** Sorry, Mr Lincoln, but you would not carry on doing what you are doing now, because on day one of no deal you would have an entire cohort of people from the European Union who would no longer have the same rights that they have at the moment. You would not be doing exactly as you are doing now; you would be doing lots more of it.

Paul Lincoln: I was talking about goods, but I can talk passengers.

Q150 **Chair:** Goods first.

Paul Lincoln: On goods, if there is a situation where there is a day one no deal, we would continue to do what we are doing in terms of a pragmatic, practical approach to dealing with the problem of things coming through. We have described before that physically there is not enough space around Dover to do a significant amount of increased checks.

Chair: Yes, exactly.

Paul Lincoln: The Government's proposed model, as it set it out, would be that if we were to do additional checks, those would be away from the border, to ensure the border is as frictionless as possible.

Q151 **Chair:** But there is nothing built away from border. There is no infrastructure now and we are nine months away from the date of Brexit. If there is no deal, we have nine months to build warehouses.

Paul Lincoln: I do not think anyone has said that what we would put in on day one no deal would be the same as we would have as a future model. Witnesses to this Committee and others have said that it would take a number of years to put in place the desired infrastructure to be able to operate a fully optimal system.



HOUSE OF COMMONS

Q152 Chair: So what happens before you get that desired infrastructure in place when you have no deal, or even after transition, and more goods are coming through that need to be checked if we are outside the customs union. You have no infrastructure to do it and you keep saying you will do it, but where and how? Give us some practical examples.

Paul Lincoln: I think there are a number of different factors, one of which is that HMRC has already said that it will put in place additional checking away from the border, working with their compliance teams to look at particularly high-risk traders.

Q153 Chair: Away from the border, as in after they have come into the country?

Paul Lincoln: Yes, so you would go and visit premises and check records, and you would also use, as we currently do now, authorised trader schemes, where people are either paying in advance or paying afterwards.

Chair: Yes, but there are hardly any authorised traders at the moment, so that is a huge task. Let us not go over old ground that we have already gone over.

Q154 Caroline Flint: I think there will be a deal, but that does not mean that things will be the same. There will be the end of a transition or implementation period where, presumably, there will be more adjustments to be made. Mr Lincoln, are you saying that those people who there are question marks about will be dealt with away from the border by someone from HMRC visiting the premises where they unload?

Paul Lincoln: The model envisaged under the highly streamlined customs arrangement described in the Government's paper talks about the use of technology that links advanced notification of the goods in a vehicle to vehicle registration numbers and also to traders. Therefore, you are doing the processing, maximising the use of technology to gather revenue as part of that process. Some of that should not involve practical checks in the way you might expect, in terms of checking every single lorry that comes through. That is just not practical and is not a modern solution in the way we are looking at it. It is much more the way being used in other countries in the world.

Q155 Caroline Flint: I think we all understand about using technology and trusted traders. What concerns me is that I am thinking about others listening into this. I am not so worried about the trusted traders. Hopefully, there will be a system for them; they can just go through on the nod and that's it. I would expect that to happen now.

Chair: There aren't many of them at the moment.

Q156 Caroline Flint: The problem is how you will identify all those trusted traders so that you can do that. I am more concerned that after the horse has bolted—in other words, the ones we are most worried about are in the country—we will have some sort of follow-up down the road. Is anybody working out how many more staff that will need and how that will be identified?



HOUSE OF COMMONS

Paul Lincoln: On the question of goods and how that will be approached, HMRC is doing detailed planning around that kind of approach. There is further work on that model around inland clearance facilities.

Q157 **Caroline Flint:** Let me ask a couple of other questions. In the update provided by the Border Planning Group in March this year, paragraph 15 states that it "Established a programme of work, across government, to plan for additional infrastructure which may be needed for controls and processes at key locations." I know you have touched on that, but could you give us a bit more detail about what additional infrastructure you have identified as necessary for controls and processes? Do you have enough time to construct this, and what will the cost be?

Paul Lincoln: A series of processes have been put in place in key locations. The Border Delivery Group, under Karen Wheeler, has set up a number of steering groups at the locations expected to be affected, and discussions have been going on there.

Q158 **Caroline Flint:** What infrastructure have you identified so far?

Paul Lincoln: Those discussions are confidential and take place under non-disclosure agreements. We are systematically now extending that process to the rest of the ports and airports across the country.

Q159 **Caroline Flint:** Okay. Is any information about the infrastructure going to be provided for this or other Committees so that we know what is going on?

Paul Lincoln: Once we have collated the information and the most likely impacts, the first thing we will do is have discussions with Ministers about the potential implications.

Q160 **Chair:** We are talking about some major projects. I know we have covered some of this before, but nine months out you are sitting there quite calmly, Mr Lincoln: "We're planning this, looking at this and looking at what infrastructure we need." Nothing has been built. You might have to have new IT systems. HMRC is working on its CDS system, which is close to the wire and does not leave much testing time, and you are sitting there and saying it is all going to be fine.

Paul Lincoln: On the question of infrastructure, witnesses to this Committee have been clear that infrastructure would not be in place for a day one no deal scenario.

Q161 **Chair:** Will it be in place two years after that?

Caroline Flint: You've got 18 months.

Q162 **Chair:** What about planning applications? Have you ever tried putting in planning applications through a local authority?

Paul Lincoln: That is exactly why we are now systemically going across and speaking to all the ports and airports.

Q163 **Chair:** Okay. Do you think it is possible to deliver it by 2021?

Paul Lincoln: HMRC's evidence to this Committee was that it would take three years from the point of certainty under a highly streamlined model,



HOUSE OF COMMONS

and HMRC's evidence to this Committee otherwise would say it would take longer, probably in the region of five years, for a new customs partnership model.

Q164 **Chair:** Yes. So are there any plans for Border Force to think about how you would do things at the border differently to try and mitigate the risk of goods that are already coming into the country with little infrastructure in place, if any?

Paul Lincoln: In terms of things that we are likely to have to do differently—Ms Flint asked whether we would have to do additional customs activity—bearing in mind that we would be trying to do as much additional customs activity away from the border wherever that is possible so that we reduce any impact on the flow, we are doing more work within Border Force to ensure that we have the right number of customs trained officers who we will be able to deploy to whichever scenario the Government decide to negotiate.

Q165 **Caroline Flint:** Can I get on to people and away from goods? Clearly, we are leaving the European Union. The Government have made it clear that freedom of movement will have to change. Her Majesty's Opposition, the Labour party, have also made it clear that we respect the vote, we are leaving the European Union, and freedom of movement will have to change. What scenario planning is going on around what access to the UK will look like for EU nationals in future?

Sir Philip Rutnam: Perhaps I will say something about that and then Paul might want to add to it. Again, we need to distinguish between different timeframes. The Government's intention is to reach a deal with the European Union. Assuming that happens, there will be the implementation period. During the implementation period, essentially the status quo continues in relation to the movement of persons—not entirely, but let us take that as a simplification for this purpose. Therefore the question is about what arrangements should apply from the end of 2020 and the very beginning of 2021, if I have my dates right.

Q166 **Caroline Flint:** I think the implementation period is 18 months. So we are meant to leave on 29 March 2019.

Sir Philip Rutnam: And the implementation period runs to 31 December 2020, so the question that you pose in that scenario is about what the policy and framework is from the beginning of 2021. That is something that the Government are—

Q167 **Caroline Flint:** I just basically asked you—I thought, straightforwardly—what the scenario planning is for post-implementation period restricted freedom of movement?

Sir Philip Rutnam: I understand the question. I am just trying to distinguish between the scenario where there is a deal, and that becomes a key question from the beginning of 2021, and the scenario where there is not a deal.

Q168 **Caroline Flint:** Are you seriously saying to me, Sir Philip, that you are not even thinking about what the options might be, given that we had a



HOUSE OF COMMONS

general election last year in which the Government said, "Respect the vote—freedom of movement will have to change." The Labour party said pretty much the same, and it sounds like you are saying to me, "We're not even going to start thinking about that until 2020 or 2021."

Sir Philip Rutnam: No, that is not what I am saying. I am just trying to distinguish in my answer between two different scenarios: the scenario where there is a deal, and the question is what the policy is in relation to the movement of people from the European Union from the beginning of 2021; and the scenario where there is not a deal, and that question becomes relevant at the point where we—

Q169 **Caroline Flint:** No, I am asking you about the scenario where there is a deal. We all know, at the moment, what freedom of movement entails, and therefore what documentation people have to show, what rights they have, and what access they have to the health service and other things. What scenario planning is going on to look at what aspects of current freedoms may be curtailed, alongside other areas that might be to do with security and other matters, which I hope you are worried about?

Sir Philip Rutnam: I am sorry; I had not understood that the question was specifically about the deal scenario. In the deal scenario, this is a policy question. The Government are considering what policy should be in relation to the immigration system in the round, not just movements from the EU, from the beginning of 2021. The Government have said that they will bring forward an immigration White Paper. The Government have also said that they have commissioned advice from the Migration Advisory Committee, which is due towards the latter part of this year.

Q170 **Caroline Flint:** When will that White Paper be out, do we think?

Sir Philip Rutnam: I understand it will be later in the year.

Q171 **Gareth Snell:** End of summer by any chance?

Chair: So in September, the Migration Advisory Committee—

Sir Philip Rutnam: This is a policy question, as you will understand.

Chair: But you have got to then implement the practical side of it.

Caroline Flint: I suppose there is a practical side to the implementation. If we have an immigration White Paper in, let's say—

Chair: December.

Caroline Flint: Let's be generous—let's say October.

Gareth Snell: Which year?

Q172 **Caroline Flint:** That's a White Paper. That has to have a 12-week consultation period. That probably takes us up to January 2019. Then there will be a response from the Government on that, and then they will have to start some legislative processes down the road. Basically, is it fair to say that we will see the real, detailed look of what future policy might



HOUSE OF COMMONS

be on this at the back-end of 2019?

Sir Philip Rutnam: I am sure this will be the subject of active debate and policy discussion, inside and outside Parliament, through the latter part of this year and on through 2019.

Chair: You sound very calm.

Q173 **Gareth Snell:** Very quickly, Sir Philip, 1 January 2021 will be my 35th birthday. How soon before that date will you need to have a policy in order to make sure that the infrastructure is in place to implement the policy on that day?

Sir Philip Rutnam: Are we talking about movements of people or goods?

Chair: Freedom of movement first of all.

Q174 **Caroline Flint:** What is the shortest period of time you could implement a system?

Sir Philip Rutnam: I am going to ask Paul to add something. It is not a simple question to answer because obviously it would depend on how a big change in the policy there is, if any.

Q175 **Gareth Snell:** Worst-case scenario?

Chair: You have to train staff and so on.

Paul Lincoln: As Sir Philip says, it depends on a combination of what that policy might be and what the decision might be in terms of the negotiations on the practical implications of the border. You mentioned whether EU citizens might continue to use ePassport gates. If that was the decision by the Government, that would make no change in the way in which we process passengers. If Government Ministers wanted to approach that in a different way, clearly we would have to—

Q176 **Chair:** Let us just take it from slightly earlier. Earlier you talked about staff recruitment. You are planning to have 1,000 additional staff at the border by March. However, you are running it to the wire because you are only interviewing now. It takes about 12 months to get staff in place. Mr Snell asked a very sensible question: given that that is potentially a year out from the end of transition, is there really time? If you are only beginning to recruit staff now, will there be time to get everything in place? I am not asking policy questions, only about the practicalities.

Paul Lincoln: We deliberately started that process back in March on the basis that it would take about a year.

Q177 **Chair:** Yes, but you might need more. If the Government make a policy decision that surprises you or is more onerous—I cannot think what it would be—you might need to recruit even more staff. It takes 12 months to get staff in place, so that alone is a practical hurdle. I am not asking you for the advice that you are giving Ministers, but Ministers make policy decisions and you will surely have to give them information about what practical things they can make policy decisions on? It is no good making



HOUSE OF COMMONS

a policy decision that takes two years to implement if you have only one year to do it.

Paul Lincoln: In terms of providing Border Force staff at the border, our plans see us being able to operate to a model that is either a new customs partnership or a highly streamlined customs arrangement. Our staffing and recruitment processes are giving us the resilience and capability to be able to build on a path to either of those.

Q178 **Caroline Flint:** Remind us what happens at the border at the moment if someone comes in from one of the other 27 member states. What do they have to do?

Chair: They use their ID cards.

Caroline Flint: I am just asking what they do.

Paul Lincoln: If people are using the gates, obviously one of the key questions is whether they are an imposter. We do detect imposters as part of that process. Otherwise we process them at one of our manual primary control points. Again, we test whether or not someone is here appropriately.

Q179 **Caroline Flint:** So obviously if you have advance information about a person of concern, you would flag that up. Is it fair to say that, for the most part, someone can literally just come through the system and go through the EU queue and that is it? Unless you have any advance information about a problem, they are not stopped, are they?

Paul Lincoln: We look at all those points. For example, we refuse EEA nationals.

Q180 **Caroline Flint:** I am not necessarily talking about your refusals, but what do you refuse them for?

Paul Lincoln: We may refuse on grounds of criminality or public policy.

Q181 **Caroline Flint:** Okay; fine. That is because you have information in advance of that. For anybody who is not a criminal and who is just coming here, they can just go through, yes?

Paul Lincoln: We will still look at people, depending on their circumstances, as to whether or not they should be here. We refused nearly 4,000 EEA nationals last year as part of that process. That was partly on public policy grounds, of which criminality may be a major part.

Q182 **Caroline Flint:** Okay, but that is because of things like criminality or particular issues that have been flagged up. Let us say that we change freedom of movement and allow people to come here if they work in particular sectors in which we have shortages, but that they cannot come here are work in some of our factories or turn up on spec to get a job here. If that was the direction of travel, what impact would that have on your border situation?



HOUSE OF COMMONS

Paul Lincoln: Again, that is a policy question for Ministers as to whether or not—

Q183 **Caroline Flint:** The question is that, if we suddenly have a change and some people will be allowed in if they work in certain sectors, what would happen?

Paul Lincoln: I think that would depend on the circumstances, in terms of the Government deciding on the associated visa regime or similar.

Sir Philip Rutnam: A better comparison is probably between what happens to the many nationals who come here without needing a visa in advance and are able to pass the border and what happens at the moment with EU citizens. There is scope for some additional questions for non-visa nationals—from the US or Japan, for example. There are all those security questions about criminality.

Q184 **Caroline Flint:** So what would happen?

Sir Philip Rutnam: May I finish? What I am trying to get at is that, for non-visa nationals from a number of countries, it is already a pretty straightforward process to enter the country.

Q185 **Caroline Flint:** But they would probably have to have a work permit.
[Interruption.]

Sir Philip Rutnam: Hang on. It is important to distinguish between the different purposes for coming here. If somebody is coming here as a visitor, as a non-visa national they have the permission to be here for 90 days. However, if a non-visa national is coming here to work, they will still actually need a visa.

Q186 **Chair:** Right. I am sure we will come back to this at point. We need to move on to what is happening with the Windrush situation. First of all, Sir Philip, what is happening with the plans for a compensation scheme? How far is that progressing?

Sir Philip Rutnam: We have done a whole range of things in relation to the compensation scheme. We held a call for evidence, which attracted more than 500 responses.

Chair: We don't need to hear the process. I just want to hear where you are at now with the compensation scheme and when it will be in place.

Sir Philip Rutnam: In terms of where we are at now, we are digesting the results of the call for evidence and the independent advice that has come to the Home Secretary from his independent adviser Martin Forde, QC. I don't have a date I'm afraid, but in the near future I expect us to launch a full consultation on the design of the compensation scheme. While that will be a written consultation, it is very important to recognise that we also have to reach out to people directly and talk to them directly on the ground.

Q187 **Chair:** Right. So there will be a full consultation and there will be a compensation scheme in place? Once the decision is made to have it, you

then have to set it up?

Sir Philip Rutnam: Yes.

Q188 **Chair:** How will you make sure that you are setting it up so that you give support and compensation to the people who were victims, but also avoid fraudsters? We have seen recent tragic situations where people try and play the system. How are you going to make sure that you are guarding against that?

Sir Philip Rutnam: Very much in our minds is the avoidance of both fraud and excessive legal costs. There has been experience with previous compensation schemes where intermediaries have positioned themselves to become major beneficiaries. We want to avoid that as well. Both of those are—

Q189 **Chair:** So, short, streamlined and quick?

Sir Philip Rutnam: The things that are in our minds in relation to avoiding fraud include that we are considering whether we should first make it a requirement that people's immigration status should have been confirmed—that is, the immigration status that we are seeking to confirm through the taskforce. We haven't made a decision on that but it is being considered.

Q190 **Chair:** I thought that would be the precursor to getting compensation: if you had a problem then you qualify for compensation.

Sir Philip Rutnam: It is logical, but we haven't made a decision on that because we want to consider whether there are any worthwhile cases that may not qualify as a result. For example, there might be people who do not want to take advantage of the taskforce product. That is one point.

The second point is a robust approach to identity and also evidence of the harm—essentially, a robust approach to gathering the evidence. I make one point on that, which is that we recognise that the Home Office needs to take on a role in helping to gather evidence where it exists inside Government.

Q191 **Chair:** Okay. Identity has been one of the challenges and providing evidence has been one of the challenges for people in the first place. You could end up in a Kafkaesque circle where people who were trying to provide evidence in the first place—that is why they had the problem—now have to provide it to get the compensation. How are you going to manage that?

Sir Philip Rutnam: One of the things we have learned through this very painful and important episode is that, for vulnerable groups, including people who have suffered from this terrible set of events, you need to be able to cut through all of that and the Government sometimes needs to go out and help gather the evidence and help facilitate applications, rather than just standing back and saying, "Over to you. That is about reaching out and finding evidence from HMRC and DWP."

Q192 **Chair:** Will this be staffed or supported by the same 200 special



HOUSE OF COMMONS

caseworkers who are currently helping the Windrush generation migrants get through the system?

Sir Philip Rutnam: The answer to that is I don't know. They are at the moment busily occupied in the taskforce.

Q193 **Chair:** We know that. What about the future?

Sir Philip Rutnam: We will look at that. We haven't made decisions on the staffing.

Q194 **Chair:** It is just that they will have some experience by then about what sort of information to look for. They might even have got to know the individuals.

Sir Philip Rutnam: Yes. They are also experts in casework, so they will have some relevant skills.

Q195 **Chair:** Okay. May I just ask then how many Windrush cases you have now dealt with?

Sir Philip Rutnam: We have had just under 8,000 referrals to the Windrush taskforce, of which nearly 3,000 have then turned into applications and appointments. Of those appointments, we have then proceeded to issue about 2,100 confirmations of status—technically it is usually known as a “no time limit” document. In the last three weeks, we have opened up the citizenship offer, which is the offer to grant citizenship free of charge and without the usual tests around knowledge of life and language. I think we have now reached 350 grants of citizenship.

Q196 **Chair:** So people have their passport in their hands?

Sir Philip Rutnam: Well, passport is actually a slightly different point.

Q197 **Chair:** So they are not getting a passport free?

Sir Philip Rutnam: British citizens have to apply for a passport but the grant of citizenship—

Q198 **Chair:** Right. So that is the grant of citizenship. Are you speeding up the passport process as well? Some people have found out about their situation because they wanted to travel and could not.

Sir Philip Rutnam: I think the passport process should be very straightforward once citizenship has been granted.

Q199 **Chair:** It can take six weeks, but it depends. Will they have to pay for their passport?

Sir Philip Rutnam: Yes, they have to pay for their passport, just as other British citizens have to pay for their passports.

Q200 **Chair:** What about anomalous cases? Foreign-national offenders would have been deported because they had no citizenship, but they might have been entitled under this programme. What are you doing about those cases?



HOUSE OF COMMONS

Sir Philip Rutnam: You will be aware that the Home Secretary announced in a hearing of the Home Affairs Committee that, in a review of historical deportations, we identified 63 cases of deportations or removals where it is possible that the person had protected status under the Immigration Act 1971. Of those, 32 related to criminality and 31 to other non-criminal cases. We are in the process of actively seeking to find the 31 and we have made some progress. Other people can make applications if they wish, but our focus is on the non-criminal cases.

Q201 **Chair:** What about any other anomalies? I came across a case recently where somebody had been out of the UK for four years and came back in. They had had a British passport at one point but had lost it, so they are not sure what their status is in the UK. Obviously, they are not entitled to certain benefits and so on because they have been out of the country. There will be many people like that who have not been in the country for whatever reason but who are covered under the 1971 Act and the amnesty.

Sir Philip Rutnam: Indeed, there are some cases like that of people who were resident here and who have perhaps retired to reside in Jamaica or the Caribbean, who may wish to come and visit or to come back and be resident here again. We are actively open to considering both sorts of cases. Again, immigration products are available that are suitable for each. There is a product for returning residents—people who want to come back and settle here again—and there are multiple products for people who want to have visas.

Q202 **Chair:** So they are covered?

Sir Philip Rutnam: They are covered. Again, in co-operation with high commissions in the Caribbean, we are making those products available free of charge to people who qualify.

Q203 **Chair:** My final question on this before I pass to Ms Flint, who has a quick question about the EU settlement scheme, is about the consequential rights for children. Several of us have cases where, if the parents' status had been confirmed, it would be a lot easier for the children, who are now finding that they are in limbo. Can they go through the hotline or do you have any other plans to support them? They are adults.

Sir Philip Rutnam: People who are the children of the Windrush generation are protected as well so yes, they should approach the taskforce for assistance.

Q204 **Caroline Flint:** I had a constituency case that I was resolving back in the last coalition Government. That individual is part of the Windrush generation, but his case came before this latest furore, and he ended up paying for his citizenship. Will people like him be compensated? He is part of the Windrush generation who arrived in the UK before 1973, and there might be others like him who were forced to go through a process and had to pay.

Sir Philip Rutnam: Can you take me through the situation again?



HOUSE OF COMMONS

Caroline Flint: At the moment, as I understand it, members of the Windrush generation who arrived in the UK before 1973 will be eligible for free citizenship. Is that correct?

Sir Philip Rutnam: Yes. They are eligible for the grant of no time limit, which was guaranteed under the Immigration Act 1971. Citizenship is dependent—there are some tests. We have waived the tests in relation to knowledge of life and language, but there are some tests about criminality and character.

Q205 **Caroline Flint:** But it will be free?

Sir Philip Rutnam: Naturalisation is free. I just wanted to make the point that some tests about criminality apply in relation to citizenship.

Q206 **Caroline Flint:** I understand all that, but it is free? They are not going to have to pay anything to get that?

Sir Philip Rutnam: No, it is free. People who are—

Q207 **Caroline Flint:** The example I gave was of a constituent who fits that category exactly but was somehow caught up in the system and ended up having to go through a long process. He did get his citizenship, but he had to pay for it all. If that had happened to him recently, presumably he would get that free?

Sir Philip Rutnam: Yes.

Q208 **Caroline Flint:** He had to pay that back in, I think, 2012-13. Will he be compensated?

Sir Philip Rutnam: I am sorry; now I understand the question. That is one of the questions to be addressed in the compensation scheme.

Chair: Okay, so Ms Flint can add in her—

Q209 **Caroline Flint:** So that will be addressed? All those people will be—

Sir Philip Rutnam: We have not made a decision on that point, but it is a question that has been raised in a number of cases, and it will be one of the questions we will need to address in the compensation scheme.

Q210 **Caroline Flint:** One of the aspects of this was that immigration officers going to this made inappropriate judgments about these people. There are probably other groups of people out there in similar but different situations. For example, I have had cases over the year of private adoptions—children who were brought in back in the '50s, '60s and '70s, whose situation has never been formalised. Is the Home Office looking at scoping any other groups of people who, to all intents and purposes, should be allowed to become British citizens without undue stress and duress? Are you looking at scoping for those groups?

Sir Philip Rutnam: There are a number of lessons to be learned from this whole episode. We have a "lessons learned" review under way. One of the questions we have to look at very carefully is whether there are other groups who do not have—



HOUSE OF COMMONS

Q211 **Caroline Flint:** My question is whether are there other groups you are looking at, and whether have you identified any other groups.

Sir Philip Rutnam: We have not identified any other groups with as significant an exposure to this risk. We have identified other groups that we need to think about carefully. We have had conversations—

Chair: That is something we could put into the compensation scheme consultation.

Sir Philip Rutnam: We have had conversations, for example, about the Traveller community in the UK, who may have less by way of documentation. It is an active subject of consideration.

Q212 **Chair:** I would just say that, from my experience as one of your biggest customers in immigration terms as an MP, there are plenty of people from other countries who qualify under the 1973 regime. I probably need to put that in separately.

Sir Philip Rutnam: May I just go back to my answer about children, because I think I need to clarify it a little bit? What we have said relates to children of the Windrush generation who were born abroad and came to live here before the age of 18. There may be other cases—they will no doubt be raised with us—but I just wanted to clarify the offer we have made.

Q213 **Chair:** What about children who were born in the UK? At the time they should have qualified for citizenship through their parents.

Sir Philip Rutnam: For children of the Windrush generation who were born in the UK, it should not be an issue.

Chair: Okay. I think I need to delve through my case load and send you some examples for the consultation, because I do not think that is entirely accurate. I am sure other people watching will also have information.

Sir Philip Rutnam: Please raise them with us.

Chair: Gareth Snell is going to ask a very short question, then I have one point on EU settlement, and then Ms Morris.

Q214 **Gareth Snell:** In a written response to a parliamentary question, the Minister confirmed to me that the Windrush documents per se were not particularly chosen for destruction, but got caught up in the Department's retention and destruction policy. Can I ask what changes the Department is making to its document retention, destruction and disposal policy to prevent this sort of thing from happening in the future?

Sir Philip Rutnam: Let me clarify what documents were destroyed and how relevant they were to this whole situation, because there was a lot of media comment on this some weeks ago.

Q215 **Gareth Snell:** I am not even sure that is necessarily relevant. It is more about what changes you will make going forward.



HOUSE OF COMMONS

Sir Philip Rutnam: Let me try to do it very briefly: a) the documents that were destroyed were not landing cards; b) the people who came under the Windrush generation never completed landing cards anyway; and c) the documents were of very little or no value for immigration control purposes. Those were the documents that were destroyed. Are there lessons from that in relation to the documents we need to maintain going forward? I am not sure there are. However, there is a more general point that the maintenance of accurate records is fundamental to operating the borders and immigration system.

Q216 **Caroline Flint:** Why don't we have ID cards?

Sir Philip Rutnam: That is obviously a question of policy. There is more for us to do, clearly, on the quality of our records. The independent chief inspector, David Bolt, published his annual report the other week, which again highlighted the central importance of accurate record-keeping and the fact that we have more to do. What are we doing about that? We are doing significant things. In particular, we are updating our systems. The systems that we have are out of date and not very good for users, so we are investing very significantly to make our systems much more modular, incrementally implemented and effective for record—

Q217 **Chair:** When will they be in place?

Sir Philip Rutnam: They are being implemented now. A key system is the immigration platform technologies system, which is right in the bedrock of the whole immigration system. The platform has largely been built and is now being implemented. It is being implemented, for example, for asylum support.

Q218 **Chair:** I would just say that to my amazement in the 21st century I advise all my constituents to keep paper copies of everything, and many of them still rely on their Immigration and Nationality Directorate paper letter to get anything, so it is well overdue. I think there is probably too much to get into in this hearing, but there is possibly a degree of scepticism around the table. We wish it well, but we will come back to it at some point.

Sir Philip Rutnam: I know that the NAO is doing a report on immigration casework. We will be able to come back to this.

Q219 **Chair:** Exactly. It is a very big concern of ours, so we will look at the full information before we go into that in more detail.

I have a final question on this point before I move to Anne Marie Morris briefly on some modern slavery issues. There is lots of talk about how the EU settlement scheme will be very quick and easy to do. You have taken your 200 best caseworkers off to deal with Windrush, and the EU settlement scheme will largely be online—is that right?

Sir Philip Rutnam: Yes, absolutely.

Q220 **Chair:** Are you sitting here today and telling us that that will all go smoothly from November?



HOUSE OF COMMONS

Sir Philip Rutnam: Well, I don't want to go back over the discussion about guarantees, but let me just say this. First, we had 700 staff in post some months ago. We are working on EU casework. We are busily increasing that number. I think we have the best part of 1,200 in place now and expect to have 1,500 in place by the time the scheme is fully launched. That is a very significant complement of staff, because we are expecting to process 3.5 million cases.

Secondly, this is clearly a hugely important project for the Department. I think we have been doing a very strong job so far, in fact, of planning and also building the communications around it so that we are able to identify and adapt our approach to the range of different cases.

You say it will be mainly online. It will be mainly online, but there will also be elderly Polish residents in care homes whom we will want to support in going through this. We have been trying to reach out to recognise—again, a lesson of Windrush—the variety of cases we deal with.

Chair: I know our sister Committee will look at this as well, so I will leave that there for now. I am going to go to Anne Marie Morris, and then Mr Snell.

Q221 **Anne Marie Morris:** Sir Philip, since we last met and talked about modern day slavery we have had a couple of changes. We have a new Secretary of State. We have lost our anti-slavery commissioner. Is slavery still a top priority for the Home Office?

Sir Philip Rutnam: Yes, absolutely, and not just for the Home Office. The Prime Minister has been very clear about the personal priority that she attaches to this, not just when she was Home Secretary but as Prime Minister. It remains a very high priority for the Department.

Q222 **Anne Marie Morris:** Then can I ask you something with regard to the NRM? The last time we saw you you said, regarding the changes that we all recognised needed to be made, that the plan would be set out in March, the build would be completed by the end of the summer, and it would go live at the beginning of the new year. Could you say what the overall NRM change strategy is? I have not seen it. If it does not exist, how can you then do the IT piece? I am just a bit concerned.

Sir Philip Rutnam: First of all, I think I should write to the Committee setting out the NRM change strategy, because it is clear, and we clearly need to do more to communicate it. There are several different components. The first is to change the way in which cases are identified and then processed. It is a little bit bureaucratic. At the moment, we have two competent authorities in the UK—UKVI in the Home Office and the National Crime Agency. We are creating one competent authority, and we are creating a new digital system for the first responders, of which there are many—

Chair: I think Ms Morris was asking you about the timetable. We know what you are going to do.

Sir Philip Rutnam: We are on track to complete that element of NRM reform by April 2019, which is what we have said.

Anne Marie Morris: April 2019?

Sir Philip Rutnam: Yes, for the whole thing: digital programme, first responders engaging digitally and the new single competent authority. On the IT element of it, the contract has been let. It is under way. There are a few posts that need to be filled, so one thing I am pursuing, for example, is getting the right programme manager in. However, it is on track. It is not a simple programme. That element of it is part of NRM reform.

The other element is the victim care contract. You probably know that our commitment on that is to completely overhaul it and to award a new contract from March 2020. We have an existing contract with the Salvation Army. Again, there is good progress on that. One of the way stations along the way is to establish a new set of standards for victim care, on which the Department has been working with the Human Trafficking Foundation.

The standards are now in the final stages of drafting. They will be the world's first such standards. We will be looking—I know the Committee is interested in this—at how we can implement them without waiting for the new contract. We will be looking to work with the Salvation Army, our existing contractor, to embed those standards in the existing contract. We will also deal with the inspection question, which was touched on at the last hearing.

Q223 **Anne Marie Morris:** Okay. I think it would be helpful if you could document this, Sir Philip, not only with timelines but with what has already been achieved and the dates in the project management by which certain bits will definitely be completed. You could also set out the five parts to this—I think that is what you said. You have only talked about two.

Sir Philip Rutnam: Yes.

Q224 **Anne Marie Morris:** I am not sure that I necessarily agree that this is quite on time, because it was supposed to be earlier. However, I am pleased that the care standards are a part of this. One of the contentions made by the Home Office was that the care standards could not be enforced by the Care Quality Commission. I have spoken to the CQC, and they have told me that they can—they just have to be asked. I believe that there is budget in the commissioner's pot that could be used for that. If that is right, would it not be a good idea for the Home Office to start exploring that?

Sir Philip Rutnam: Let me look into that. That is different from my understanding of the previous hearing, which I was unfortunately unable to attend. I thought there was a difference in our understanding of the CQC's remit. We need an inspection regime for the new standards.

Chair: I think Ms Morris's point is that the CQC can do anything if they are asked and funded. You could ask and, potentially, you could fund.



HOUSE OF COMMONS

Q225 Anne Marie Morris: On Exmouth and the police operation, looking at how they can be more effective and communicate, have you had a recent report that gives you some sense of where they have got to? I have been to see it, but I did not get any sense of project management, where they are, where they will get to by the end of the current funding, or whether you have started looking at the extra year that I think they want.

Sir Philip Rutnam: Are we talking about the policing transformation fund project? I think there is good project management of the £8.5 million project that we have now with the team down in Devon.

Q226 Anne Marie Morris: But what is the output?

Sir Philip Rutnam: The output is essentially a set of training products and trained people creating a network across territorial policing of people who know, in depth, how to deal with modern slavery—finding it and investigating it. That is the output.

Q227 Anne Marie Morris: Sir Philip, before you tell me that that is the output, I do not see that that has actually happened. I know that is the intention and I know that some of these modules have been produced, but I have been talking to the people who are supposed to have received that training and they have not had it.

Sir Philip Rutnam: I have to say that when I visited the team in Exmouth a few months ago I was quite impressed by the energy and the focus on outputs that I saw there. I will look into this. I had understood that there was good take-up across territorial policing, but if your information is to the contrary I will look into that.

Q228 Anne Marie Morris: I think there is a distinction between what they tell you at Exmouth and what happens when you actually go out into the field and see what happens. I agree with you, because I have been there too. They are very enthusiastic, and more power to their elbow, but it is not happening on the ground.

Sir Philip Rutnam: Thank you for that. The other issue that gets raised and that I will mention is what happens after this PTF project.

Q229 Anne Marie Morris: Right. Will you be able to write to me about that, too?

Sir Philip Rutnam: I do not have an answer on that point; I just wanted to mention it. My letter will say what we can about that. It is very important that this is translated into business as usual.

Anne Marie Morris: Right. Lord McColl's Bill has gone through the House of Lords and is coming through the House of Commons. We all hope that it will pass. Are you beginning to make preparations, and if so, what are they? It is essentially about dealing with this extra year, equivalent to what happens for asylum seekers. Once they are identified as having been slaves, they will get the same sort of rights to stay for a year and receive benefits and so on. Are you making preparations, and if so, what are they?

Sir Philip Rutnam: As you know, at the moment we are seeking to extend the period of support for people from 14 days to 45 days.

Q230 **Anne Marie Morris:** Yes but, with respect, Sir Philip, that is not enough. I am asking about the McColl Bill, which is asking for a lot more. It is asking us to change our migration rules and regulations, plus many other things.

Sir Philip Rutnam: What I am trying to describe is what I understand to be the Government's policy at the moment.

Anne Marie Morris: And I am asking you about—

Chair: What are you planning if the change comes through?

Anne Marie Morris: The Bill is a long way down the line, and I cannot see the House of Commons holding it up. It has gone through the Lords.

Q231 **Chair:** The simple question is, are you making plans for this Bill to be passed?

Sir Philip Rutnam: If the law changes, we will implement and uphold the law. If it is clear that our Ministers want us to plan for that scenario, and we will start doing that. At the moment, the policy framework I am operating within is the implementation of the shift to 45 days, the shift to nine days for those who get a negative decision and—I realise this is not so popular—the alignment of the subsistence rate for modern slavery victims with the subsistence rate for asylum. That means less for some victims, and more for children. That is the policy instruction that I have.

Q232 **Anne Marie Morris:** Right. And you clearly do not have any instructions to do anything else.

Sir Philip Rutnam: Not to date.

Q233 **Anne Marie Morris:** Do you have a process in place to recruit a new commissioner?

Sir Philip Rutnam: Yes, we do. It is under way. Applications for that role close on 9 July, so it is very live.

Q234 **Anne Marie Morris:** Will you keep the Committee updated?

Sir Philip Rutnam: There is necessarily a confidential element to any personnel process, but of course we will keep the Committee updated.

Q235 **Chair:** So to be clear, there is going to be a gap between commissioners, is there?

Sir Philip Rutnam: I fear so, yes. That is a matter relating to the departure date and the notice period for the present commissioner. We are trying to keep that to a minimum. I cannot, however, guarantee that there will not be a gap.

Chair: Well, as it is a live recruitment process, we are not going to go into that any more.

Q236 Gareth Snell: Section 54 of the Modern Slavery Act requires businesses with more than a certain turnover to make declarations. When your colleague, Ms Sizeland, was before us previously, 3,000 businesses were required to make declarations. It is now 5,500. Your own Department estimates that between 9,000 and 11,000 companies should be making declarations. How soon do you anticipate that every company will have made a declaration?

Sir Philip Rutnam: I do not have a date I can give you for that.

Q237 Gareth Snell: It is a theme.

Sir Philip Rutnam: It is a theme, and I realise it will be a disappointment. I hope the next thing I am going to say will not be such a disappointment. We heard, as Ms Sizeland indicated at the time, about the challenge—the Committee made that very clear last time. We will be doing more things, taking more of a responsibility on ourselves to drive up compliance with this.

Q238 Gareth Snell: More things means what, specifically?

Sir Philip Rutnam: You will be familiar with gender pay gap reporting. Very high levels of compliance were achieved in the first year for GPG reporting. We had the Government equalities office very briefly under the Home Office, and we took advantage of that to do an in-depth study of how the GPG reporting level had been achieved, and whether lessons were transferable to modern slavery. The things we are going to be doing include, first, obtaining a list—which we did not have at the time of the previous hearing—of all the companies we think are within scope of the regulation because they have a £36 million turnover. That is a list of people.

Secondly, we are writing to the chief executives of those businesses. We are using the behavioural nudge experience in various areas and writing to them in a way that will help to get them over the line. Thirdly, we are mounting a campaign—probably not a hugely costly campaign, but none the less a campaign—of awareness raising and social media activity.

Finally—an idea I particularly liked when it was put to me—we are setting up an advisory group on business compliance to try to co-opt the energy of NGOs and others that are passionate about this and the energy of passionate advocates in business, to help us drive up compliance.

Q239 Gareth Snell: Currently, the NGOs are doing all of this work. The Minister told me that there was going to be a business hub. When will that business hub be set up to deal with all this?

Sir Philip Rutnam: I think that is what I am talking about.

Q240 Gareth Snell: So the business hub that was described in a previous oral question is the work that you will be doing.

Sir Philip Rutnam: I am not aware of another business hub, unless—

Chair: So the business hub is what you just described.



HOUSE OF COMMONS

Sir Philip Rutnam: I think so, but if I have misunderstood, I will correct it in a letter. But basically we are trying to drive up compliance.

Q241 **Chair:** I want to move on, because it is some time now since the Salisbury incident and there has been some investigation. What progress has been made on the investigation into the events in Salisbury, Sir Philip?

Sir Philip Rutnam: It is a very large investigation. It is obviously an operational matter for policing. I think about 1,230 officers have been involved in responding to the events in Salisbury. On the investigation specifically, something like 250 officers have been working in the months since the 4 March events from the counter-terrorism policing network.

Chair: How many Home Office staff have been involved?

Sir Philip Rutnam: The Home Office's role has changed during the period. In the response phase, from 4 March to 26 March, the Home Office had the lead. We had approximately 80 full-time equivalents working on Salisbury.

Q242 **Chair:** How many now?

Sir Philip Rutnam: Now it will be many fewer than that, because the Government lead has passed to DEFRA in relation to the recovery phase. Specifically on Salisbury, I suspect full-time equivalent will be sub-10. But of course, there are a number of other issues.

Q243 **Chair:** My concern is that particularly that number of police officers and the resources of the investigation will have had an impact on some of your other priorities. Can you give us an example of other priorities that have been reduced or slowed down as a result of the resources going into investigating Salisbury?

Sir Philip Rutnam: I would say that we managed the response phase very well in terms of Government lead. There are always lessons to be learned from these things, but one of the advantages of the model we have in the organisation is the ability for people to step forward to deal with a critical incident very quickly. On the opportunity cost of those resources, I do not think there was a significant effect.

Q244 **Chair:** It was a huge issue for Wiltshire police, which is obviously not resourced for that sort of thing. One, have you got any money put aside for the forces that have had to send police officers to manage things in Salisbury? Is there a special grant or any money available to them? Two, what assessments have you now made, in terms of lessons learned, about how a smaller force can be supported when an incident like this happens?

Sir Philip Rutnam: Just to run through those points. First, there was a major challenge for Wiltshire police. I have to say, I thought they responded well to it. The Home Office has given Wiltshire police some special grant already for the costs in the last financial year—£1.6 million—



HOUSE OF COMMONS

and we expect, subject to consideration of the case, to give them some more special grants for this year.

Q245 **Chair:** Just for Wiltshire, not for any other forces?

Sir Philip Rutnam: For Wiltshire police. There was a particular effect on Wiltshire police. Other police forces did provide some assistance under the mutual aid arrangements.

Q246 **Chair:** Do you know how many?

Sir Philip Rutnam: I am afraid I do not have a figure for that. I do not think there is a need for any special grant in relation to the mutual aid arrangements. The effect on counter-terrorism policing is more significant and we continue to keep that under review. I do not want to go into any more detail on the financial arrangements for counter-terrorism policing.

Q247 **Chair:** What about making sure there is a better preparedness for chemical, biological and radiological incidents of this nature?

Sir Philip Rutnam: I would say that the UK is prepared for a wide range of potential CBRN incidents. There are always lessons to be learned from an incident such as this. At the moment, there is a lessons learned review under way between the Government and the emergency services. No doubt there will be useful things to come out of it.

Q248 **Chair:** Do you know how long that review will take?

Sir Philip Rutnam: I am afraid I do not have a timescale for that.

Q249 **Chair:** Do you know if any of that is feeding in, for example, to the modernising defence programme, given the overlap in this area?

Sir Philip Rutnam: Discussions are always under way between different Departments. We have a close relationship with the Ministry of Defence.

Q250 **Chair:** Okay. I am sure we will come back to this. Sir Philip, something just occurred to me when we were listening to you earlier, particularly on borders and scenario planning. We hear this from a number of Departments. You are planning on three scenarios: deal, no deal and transition period. Those scenarios cost different amounts of money. Are you able to fund those from within your own budget or are you having discussions now with the Treasury about what the relative cost would be of the potential three outcomes of Brexit?

Sir Philip Rutnam: The key discussion that we had with the Treasury recently about this led to our being funded to the tune of £395 million for this financial year, which is the largest amount out of the Chancellor's pot.

Chair: Yes, we know that.

Sir Philip Rutnam: And we talked about how we are using some of that earlier to build capability in Border Force. What I talked about in relation to the settlement scheme is also being funded from the £395 million. There will need to be another discussion with the Treasury about funding in 2019-20. We are not yet into that discussion, but of course we expect



HOUSE OF COMMONS

to have that discussion and to make the case—I am sure we will be listened to—for the sorts of capabilities needed in our system.

Q251 **Chair:** Have you got costings attached to these? Let us be optimistic and imagine there will be a decision from the Government in the autumn about the final deal, which will then come into place in March 2019. By then, it will be a very tight timescale for you to get fully costed options up. Are you working on costings for the options you are working up now so that the Treasury has got an idea of what the potential costs will be?

Sir Philip Rutnam: Of course, we are looking ahead to 2019-20 in terms of work inside the Department and discussions with the Treasury. To go back to the theme earlier, we are not yet in a position of having brought any of that to a head in terms of our engaging and advising our Ministers or of discussions with the Treasury. It is still—

Q252 **Chair:** Of the three scenarios I outlined, which would be the preferred one in value-for-money and finance terms? Which would be the cheapest to deliver: deal, no deal or transition?

Sir Philip Rutnam: The Government's view is very clear. I would say that ultimately while the Home Office's budget is important, most important of all are the economic and social benefits to the people of the United Kingdom.

Chair: Well scripted, Sir Philip.

Sir Philip Rutnam: I was not given a script.

Chair: Well rehearsed. Okay. Like everybody, you are prey to the final decision, but we are very concerned about the relative costs at the moment. Let us be clear that taxpayers' money is being used to work on three options in every Government Department, which seems an incredible expense, and of course a lot of the staff you have been recruiting are just to deal with Brexit, let alone the people Mr Lincoln and others are recruiting to deal with the situation post Brexit.

Thank you very much for your time today, on this hot, sticky day. The transcript, as ever, will be up on the website, and we will pick up on these issues in writing. You have agreed to write to us on some issues, which the Clerk will clarify with you. Thank you very much indeed. No doubt, we will see you again very soon.

Sir Philip Rutnam: Indeed. Thank you.