

Home Affairs Committee

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

Monday 22 July 2019

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Members present: Yvette Cooper (Chair); Rehman Chishti; Janet Daby; Kate Green; Tim Loughton; Stuart C. McDonald; Toby Perkins; Douglas Ross.

Questions 866-1014

Witnesses

[I](#): Sajid Javid MP, Home Secretary, and Sir Philip Rutnam, Permanent Secretary, Home Office.

Examination of witnesses

Witnesses: Sajid Javid MP and Sir Philip Rutnam.

Q866 **Chair:** Welcome, everyone, to this session of the Home Affairs Select Committee. As part of our scrutiny of the work of the Home Office, we welcome the Home Secretary and the permanent secretary to give evidence to us this afternoon.

Good afternoon to you both, and thank you very much for your time. We have a wide range of issues that we would like to cover. We would be very grateful for concise answers so we can get through as many topics as possible.

Home Secretary, you said that 20,000 more police were needed. How did you arrive at that figure?

Sajid Javid: Thank you very much for your welcome. I always very much welcome the scrutiny provided by the Committee.

I have said all along—since I became Home Secretary, right from the early days—that we need to look again at police resources. That is more than just police numbers; it is resources more broadly, which of course includes the number of officers. That is something that the Home Office has been doing ever since. The financial settlement that we had for policing this year recognised that as well; I think it is the first year since 2009-10 in which we are actually seeing an increase in police officers.

I continue to be of the view that we need to keep heading in that direction. As the Home Office, we have not arrived at what the exact number should be and how we would get there, because it is not currently Government policy to have an increase in the 20,000 range, but it is something that we have been doing work on in anticipation of a change in Prime Minister and a new Administration, so that options can be looked at.

Q867 **Chair:** But presumably you based that 20,000 figure on something—it was not just a figure that you picked out of thin air.

Sajid Javid: I think what you are referring to is a number that I have used in speaking as a leadership candidate, where I am not bound by collective responsibility. That is a number that I have come up with. Today I am sitting in front of you as Home Secretary, bound by collective responsibility, so I will speak about the policy of the Government currently, but I think the fact that I have used that number gives an indication of the direction of travel.

Q868 **Chair:** Sure, but you were still Home Secretary when you made that statement.

Sajid Javid: Yes, of course I was, but I think it is clear that I was speaking as a leadership candidate, not bound by collective responsibility.

Q869 **Chair:** I understand that it was not the signed-off policy of the



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Government at the time, but you made that statement as the Home Secretary, so I am interested in the analysis behind it.

You also said, "More police on the beat means less crime on our streets." Presumably that means that less police on the beat means more crime on our streets.

Sajid Javid: What I am recognising is that, especially over the last eight or nine years, we have seen a significant increase in certain types of crime, especially what you might call the more complex types of crime—everything from reporting of historic sexual offences, which we want to see more of in terms of reporting, to cyber-crimes and other crimes. I want to make sure that over time the police are able to keep up with both the increase in demand and the changing nature of demand, because if the police are not able to keep up, it will make it easier for those who set out to commit crimes.

Q870 **Chair:** And that has certainly been the recommendation of our Committee—we have all said that we need more police—but you specifically said, "More police on the beat means less crime on our streets." If you are asserting that there is a strong relationship between more police on the beat and less crime on our streets, presumably that holds in the other direction as well: less police on the beat means more crime on the streets.

Sajid Javid: I am looking ahead. I want to try to anticipate changes in crime patterns and changes in demand for policing. Of course it is not all just about policing—it is about the broader criminal justice system, and there is a lot of preventive work that needs to go into reducing crime as well—but looking ahead, if we do not get police numbers right over the coming years, that would mean more crime.

Q871 **Chair:** Sure, but I'm trying to understand as well what lies behind the big increases in crime that we have had, particularly in violent crime. In the last 12 months, we have had a 24% increase in robberies in Leeds; a 49% increase in robberies in Wakefield; a 57% increase in robberies in Ipswich; a 73% increase in possession of weapons in Wigan; a 45% increase in Rochdale; and a 43% increase in Norwich.

Towns and cities right across the country are seeing very significant steep increases in different kinds of violent or serious crime. For a long time, the Home Office has argued that there is no relationship between the number of police and the level of crime. You said very specifically, "More police on the beat means less crime on our streets." I am trying to understand from you—if you believe that relationship holds, does that mean you accept that the reduction in the level of policing has made crime worse?

Sajid Javid: There is no single reason for the increase in certain crime types that we have seen. You have exemplified one of those that I have been most concerned about in my time as Home Secretary—the significant rise, especially in certain parts of the country, in serious violence. Looking at that, and at other types of crimes such as acquisitive crime, there is no single reason for that. It can also be to do with powers—for example, we



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have now the Offensive Weapons Act in place for serious violence. I have accepted for a while now that there is an issue with resources—that is why the funding settlement this year has an almost £1 billion increase, including council tax and the extra £100 million for serious violence—and with how joined-up, broadly, the public agencies and Departments are.

With serious violence, it has been about ensuring not just that we have the right resources, but that the resources we already have—be it in my Department, Education or local authorities—are working better together, which is exactly why we had the consultation on the public health duty and said that we are going to make that statutory and introduce it. It is not just about resources.

Q872 Chair: Indeed. There are clearly a huge number of factors, and we have said that many times. I am still trying to understand from you the contributory impact of the level of policing. You have said, very differently from your predecessors, that you think there is a link. Indeed, you said, “More police on the beat means less crime on our streets. Not exactly rocket science, is it?” Well, now you seem to be suggesting that maybe it is rocket science; you are making it much more complicated. In that nice, straight-talking way that you had when you were temporarily a contender for the leadership, perhaps you could give us a straight response to the question. Do you think that the cuts to police have made the problem of crime worse? It is not exactly rocket science, is it?

Sajid Javid: I think I have been very clear on this, right now and since the start of this session. Police numbers is an important factor that we need to get right as we look ahead and work harder to try to reduce crime of all types. As I have also said, we are about to get a change in Prime Minister. Both candidates for Prime Minister have said that they would look again at this, and it is sensible that the Home Office looks at how further changes could be made. We have been doing that work, but it is not yet Government policy and it may not be. When it is, I or whoever is Home Secretary can come and tell you what the plans are.

Q873 Chair: Given that a lot of the town and cities that I talked about have seen a really substantial cut in neighbourhood police, they have seen a big drop in policing and are desperate for additional police. If the Treasury takes the same view as you do, when can we expect to see those 20,000 additional police?

Sajid Javid: I think, hypothetically speaking, if you had an increase in police numbers of about 20,000—from the early work that has been done in the Department, it would take about three years. From speaking to those who have experience in recruitment, they feel that we will probably take on about 7,000, or roughly about a third of that portion, a year. It is about a three-year timeframe.

Q874 Kate Green: I would like to ask some questions about immigration policy, starting with the APPG’s report, which I am sure you have seen, on the TOEIC cases. I know you have expressed some concerns about the way in which there seem to have been very poor evidence between the



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company and the individuals accused of cheating, and the consequences for them. What are you proposing to do about those cases?

Sajid Javid: First, it is important to remember, with the TOEIC cases—I think you are referring to the testing from 2014 of those who took them with the company ETS in their UK test centres—at the time, the Home Office was right to take the allegations that were in the “Panorama” programme seriously and make sure that the English language tests that had taken place were carefully looked at. You may know that there have been a number of criminal convictions for people who have been involved in fraud related directly to those tests. Over 25 people have been convicted already with a combined sentence of over 70 years, and there are others who could be convicted.

My point is that there was a serious issue, so I do not want to somehow create an impression that there was not a serious issue that did not require a significant response. Also, the National Audit Office, in its 2012 report, said that in 2009, for example, it thought that up to 50,000 people had used that tier 4 route, mainly through private colleges, many of which subsequently closed down, to come to the UK to work and not to study at all. They really questioned that route and how it could have been abused.

That said, the action that was taken at the time involved many thousands of people. Just over 34,000 were told that their test results were invalid and a further just over 23,000 were told that their results were questionable. A number of colleagues in Parliament have raised that with me, especially about those who were told their results were invalid. At least those who were told they were questionable were given the option, as I understand it, to re-sit the test if they wanted to, which was not provided to the 34,000 who were told they were invalid.

No matter how strong the system to try to work out whether anybody had cheated, I would accept that when you are in the thousands, there can be a mistake in the system. I want to make sure that people feel that if they feel that they have somehow been wronged, they have some opportunity—we create some kind of opportunity for them—if they have evidence, particularly new evidence, to have it looked at in a quick and reasonable way.

Q875 Kate Green: So what form will that take?

Sajid Javid: We are working on that. Some of the work that colleagues have brought to me, particularly the APPG that has been set up by one of our colleagues, and other reports that have been done into this, including the National Audit Office report, which I think came out in May, have helped us. We have since been working on how we could create an opportunity. We have not finalised that just yet. I hope to say something about that as soon as I can, but it is something that I have taken seriously.

Q876 Kate Green: Last week, in Home Office questions, you gave us to understand that you would hope to say something to the House before the summer recess. Are you still hoping to do that?



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Sajid Javid: I will update the House before the summer.

Q877 **Kate Green:** Prior to recess?

Sajid Javid: Yes—update the House—but I do not want to hold out false hope. I am not suggesting that we will be able to provide full information on what that opportunity might be prior to recess, but we will update the House.

Q878 **Kate Green:** But there may be further details to come subsequently.

Sajid Javid: Yes; there will be further details to come subsequently.

Q879 **Kate Green:** This affects, as you have said, many tens of thousands of people, many of whom, on the face of it, appear to have been wrongly accused of cheating—

Sajid Javid: Well, I take issue with that. I do not think anyone is saying that tens of thousands have been wrongly accused of cheating. It is reasonable to accept that, of the 34,000 results that were declared invalid, there may be some—a very small number, judging by the cases that have gone through the courts or come to the Home Office since 2014. Nevertheless, even if it is one individual who has been wronged, it is our duty to make sure that we are doing more to help.

Q880 **Kate Green:** And they have waited a long time, those individuals, so I am sure you will appreciate why it is important that the Home Office makes a firm announcement as quickly as possible.

Sajid Javid: Some of them have waited a long time.

Q881 **Kate Green:** May I ask you next about pre-settled status and, in particular, the evidence given by your colleague, Caroline Nokes, when she appeared before the Lords EU Justice Sub-Committee last week? In response to questions, she gave us some statistics—that “22 grants of pre-settled status were upheld following the administrative review” and 231 decisions not to grant pre-settled status were overturned and the applicant was given settled status. It is very helpful and useful to have those figures.

In those cases it was said that the applicant had generally accepted a grant of pre-settled status when making their application, and then given additional evidence that enabled them to qualify for settled status. What is meant by accepting or agreeing to pre-settled status? Is the applicant required to deliberately agree to that status, or is it simply an assumption that is made, and that when it is granted it means that it has de facto been accepted?

Sir Philip Rutnam: I think that what you are referring to, Ms Green, is the fact that as you go through the application process for settled status, the online system brings up a series of prompts. Initially when you register your presence there, it does an automatic look-up with the HMRC and DWP systems, and that will likely generate a certain amount of information. It asks at a series of points whether the way that the system understands you is the way that you understand your own position: are



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you somebody who has been present in the United Kingdom for less than five years and therefore seeking pre-settled status, or are you somebody who has had continuous residence for five years or more and therefore seeking settled status?

One of the design principles behind the system is that it seeks to get your confirmation of the status that you hold and therefore the status that you seek, and there are a number of points at which it also prompts you with the opportunity to provide additional information if the way that the system characterises you is not the way that you would characterise yourself.

Q882 Kate Green: So it gives you the opportunity to say, "Yes, I accept that this only leads me to pre-settled status, and that is all I seek in the light of the information that I have about myself."

Sir Philip Rutnam: Exactly. Yes.

Q883 Kate Green: Does the Home Office retain that DWP, Treasury or other information that is used in the course of completing that application process?

Sir Philip Rutnam: No. The information is only used for the purposes of establishing the response to the application. It is a look-up that goes to the DWP and HMRC databases, checks whether there is a record of the individual, using national insurance number, surname and the like, and then also simply checks in a yes/no way whether the individual has got five years' presence or more, six months' presence or more, or no presence at all. In fact, the information is not extracted, as I understand it. Instead, what is obtained from HMRC and DWP is a binary answer.

Q884 Kate Green: A final question in relation to tier 5 visas for faith workers. Why has the Government felt the need to restrict them, and what has changed? What has caused the Government concern, given that faith workers have for many years come to train, and preaching is an integral part of that training? Why is it now thought that the tier 5 visa is not suitable for it?

Sajid Javid: First of all, I agree with you about the value of faith workers and those who come to support them as well, whether they preach, have pastoral duties themselves or support those that do. We currently have in place two dedicated immigration routes for that. One is for up to three years for the pastoral duties and one is for those undertaking supporting roles. The recent change came about because it had become apparent that some people, possibly inadvertently, were using the tier 5 temporary worker arrangement route, but that meant there was no English language test assigned with that. There was no test to see whether they could actually meet English language requirements, so changes were made—I think you are referring to the changes—following a consultation done by MHCLG in May to June last year. Following the consultation, it was made clearer that if you come as a minister of religion, you must use the correct routes.



Q885 Stuart C. McDonald: Just to back up what Kate Green has said. I encourage you, Home Secretary, to look at the changes because they have wreaked havoc in a number of churches, including in particular the Scottish Catholic Church, which relies a lot on short-term trips from priests to relieve local parishes and allow priests to go on holiday or on retreats and so on. I will leave that with you.

My questions are about the future immigration policy. You announced recently that you wanted the MAC to look again at the proposed salary threshold for tier 2 visas and that you would also ask them to look at whether there should be different thresholds in different parts of the country, which I certainly welcome. Why did you ask the MAC to look at it again? Secondly, is there recognition of the fact that there are different salary needs and different demographic challenges in different parts of the country?

Sajid Javid: Thank you, Mr McDonald. First, on the religious visas issue, I think you said that it had created havoc with some people you had talked to. That certainly should not be happening. The rules have been quite clear. The two visa routes still exist. I do not know about the case you are referring to—it might be people who do not speak English. Certainly, if they speak English, there should not be an issue. So if there is more information that you want to provide in terms of the case you refer to, I will gladly take a look at that, because, as I say, that is clearly not the intention. I think it is very important that we maintain and have good routes for religious workers of all faiths to come and preach in the UK.

On your question about the MAC and the new future immigration system set out in the White Paper, as you referred to, in the White Paper we talk about a salary threshold that will be one of the factors taken into account to determine a highly skilled worker. You will be aware that the MAC was originally tasked with looking at this, given the end of freedom of movement, and suggested £30,000. First of all, to be clear, the Government has not accepted the £30,000. We have said that there will be a threshold, but we have said specifically that that is what the MAC recommended in their report in, I think, September last year.

I did say at the time we published the White Paper that there will be a long period of engagement across the country—the entire UK. For example, I have been to Scotland, to Wales and Northern Ireland—all parts of the UK—and spoken to businesses and other stakeholders, and one thing that has become clear is some of the concerns you have raised about the £30,000 and whether there can be flexibility not just between regions but also possibly between different types of sectors of employment. Your question was why the MAC is looking at this. It is because it has to be an evidence-based approach. The MAC is independent. It is the migration advisory body to the Government.

Q886 Stuart C. McDonald: Sure, but you also take into account direct representations from businesses and so on and various stakeholder groups.

Sajid Javid: Yes, we will.



Q887 Stuart C. McDonald: You are now—this is very welcome—looking at possible different thresholds for different parts of the country. Why did you decide to do that? Part of it is a recognition of different salaries, but is it also about different demographic pressures in different parts of the United Kingdom?

Sajid Javid: Yes, because if you look at median salaries in different parts of the UK, there will be some regionalised differences. For example, Northern Ireland is one of the parts of the UK that has some of the lower median salaries, whereas we understand the south-east has some of the higher median salaries. But it is also within professions. If you take a lab technician, for example, the salary is typically more in the £20,000 range, and I think everyone would agree that that is a high level of skill, and there is a shortage of lab technicians. So while flexibilities are already built in, like the shortage occupation list, which allows changes in salary from a sectoral approach, there is also this regional issue. I think they need to be looked at together.

Q888 Stuart C. McDonald: A quick question, if I may, on what happens if there is no deal. The proposal just now for EU temporary leave to remain is a particular issue for Scottish universities, but universities throughout the United Kingdom are concerned that because it is three years long, those on four-year courses, which are particularly prevalent in Scotland, will be asked to apply for a type of leave that does not cover the whole of their course, and they will not know what the future system for students will be. On the couple of times I raised this with the Immigration Minister, she said that it is under review, but we are getting to the stage where students will be applying for courses not knowing whether they will be able to get leave to remain here long enough to complete their course. When will we get some sort of solution to that from the Home Office?

Sajid Javid: To be clear, I think you are referring to what we have described as, in a no-deal situation, the European Union temporary leave to remain, which as you say would be a straightforward process for any person from the EU 27—actually, it excludes Ireland, so it is the EU 26. It will be for three years.

You have asked how that fits in with university courses, particularly in Scotland. I would say a couple of things. First of all, in Scotland today you will have lots of international students from the United States, Canada and China. They all apply for tier 4 visas, and it works perfectly well. The default position, had we not included students in the EU TLR, would have been that the EU students you just referred to would all have had to use the tier 4, which is costlier and slightly more burdensome in terms of the forms and what you have to do. That is why we thought we should just include it here and make it more straightforward. Otherwise, it would have been a tier 4.

Stuart C. McDonald: I get that, and it is welcome.

Sajid Javid: You are not suggesting that the tier 4 system does not work.

Q889 Stuart C. McDonald: No, definitely not. What I would suggest is that the



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temporary leave be four years for students, or as long as their undergraduate course continues. That, surely, is simple enough.

Sajid Javid: It is not that simple, because you would have to create a completely new category that would cover students only, and then you would basically be trying to reinvent the tier 4 system.

Q890 **Stuart C. McDonald:** But you see the problem? The Immigration Minister suggested, "Just use the tier 4 route," but that obviously puts Scottish universities and other four-year courses in other parts of the United Kingdom at a big disadvantage.

Sajid Javid: It doesn't. I do not accept that it puts them at a disadvantage.

Q891 **Stuart C. McDonald:** You said yourself that it was much more expensive.

Sajid Javid: I did not say it was much more; I said slightly more expensive.

Q892 **Stuart C. McDonald:** You can't say to somebody, "Come to Glasgow and pay more for a more complicated visa, or do a three-year course, pay much less for your visa fee, and have a guarantee that you'll be able to complete it there." Is the Home Office looking at this or not? The Immigration Minister appeared to suggest that she was looking at it and trying to find a solution, but I am getting the impression that you are not.

Sajid Javid: We have thought about whether there is a different way that might take into account some of the concerns that you have raised. You said it is straightforward and simple, but it is not. I just highlight that this is in a no-deal situation, and it also depends on the Immigration Bill going through Parliament. If there was an easier way to do it, we would look at that, but at this point I want to slightly, if I may, take issue with your saying that it somehow creates a massive new burden that targets Scottish universities and those with four-year courses. Scotland has great universities, and I am confident that even with this system, it will not be a difficult process to take four-year degrees.

Q893 **Stuart C. McDonald:** I don't think it is a deliberate targeting, but if you were to speak to Universities Scotland, they would say, "This is not really designed with our undergraduate courses in mind." I encourage the Home Office to look at it again and try to find a solution that keeps them happy.

Sajid Javid: We will keep it under review.

Stuart C. McDonald: Can I finish on the issue of drugs, very quickly, or will we come back to that?

Chair: We will come back to that.

Q894 **Rehman Chishti:** Home Secretary, touching on the point of English illegal migrant crossings, you will recall that you came before this Committee in November last year, and I raised the matter with you then,



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both as a member of this Committee and as a Kent Member of Parliament.

In the 14 months to February 2019, I understand that 939 individuals tried to cross the channel illegally. On 31 December 2018, you designated the issue a major incident. Shortly after that, two cutters were deployed. You said to this Committee that there would be a joint co-ordination centre with France in November. That has not worked, because the number of individuals has increased.

My question to you now is this: you have set up a co-ordination centre with France, declared a major incident on 31 December, and had pressure applied to put the two cutters in place, which was finally done. In May this year, 140 individuals tried to come to this country. That is higher than the number that tried to come in in November and December. On 1 June we are talking about 13 separate incidents involving 74 people.

The number is increasing, and you and I know that when the weather is warm, you will get far higher numbers coming over. We are in the summer, and my residents, residents in Kent and those around the country want to know what has gone wrong, what more we need to do, and what you will do as Home Secretary.

Sajid Javid: Thank you very much. First of all, just to give you the latest facts that I have, as of yesterday, in 2019 so far there have been 1,150 attempts by individuals, of whom approximately 725 have arrived in the UK and 425 were intercepted in France. Obviously, the numbers are up, but the number of interceptions is also up.

You rightly talk about this being declared a major incident, to take it more seriously. You will recall that at the time one of the key motivating factors for me in making it a major incident was the protection of life. That was my first motivation. This is one of the busiest sea lanes in the world, and it is very treacherous. You were talking about the slightly better conditions in the summer, but people have been trying this in all sorts of weather conditions. It is incredibly dangerous.

It has been an absolute priority to ensure that we do everything that we can to prevent the loss of life. So far, we do not know of any loss of life that has taken place. For that reason—even for that reason alone—declaring this a major incident has been a success, because the last thing any of us would want to see is even one person losing their life. Remember, children are potentially at risk as well. Not everyone has decided to do this as an adult; there are young people at risk. The first thing you can tell your constituents is that no one has lost their life. I am sure your constituents will be very proud of that.

Q895 **Rehman Chishti:** I have to move on, so let me ask you another question. Of course, I accept and welcome that, but the reality is that the number of individuals trying to cross has increased. One primary point was to prevent the loss of life, but the other was to deter individuals from trying to cross, and that has not quite worked, because numbers are up.



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Will the deployment of vessels continue, and what more are you going to do? Last time, we raised the point—which you said you did not quite have the answer to—of where these individuals were coming from. Some were coming from Iran, some from elsewhere. In further evidence from other experts who came here from Border Force and other organisations, we heard that some of these individuals were coming into Europe on a visa arrangement with Serbia and then dispersing all over.

What discussions have you had with your counterparts on the source of the individuals who are coming, and specifically on Serbia's relaxation of visas to people from countries such as Iran? What have you done on that?

Sajid Javid: We have taken action on many fronts, including that one, which I will come to in just one second, but you asked me about that cutters and the other support vessels. The two cutters are still in place and we have no plans to decrease that. We have a joint action plan with France, which has been recently revised again. As well as the law enforcement co-operation, they have increased patrols, working with their local police, and we have started using CCTV and other sensor equipment—I will not go into some of the types of equipment right now. There is also the joint co-ordination centre where our personnel work.

The other thing that would make a big difference is returns. That has been the most difficult to move on, even though we have had some success. If people knew that if they came here and their application for asylum failed, they would be returned, it would make a big difference. If France or another safe European country was their first port of arrival in the EU, then, technically, under the Dublin system of returns, we should be able to return them. However, ever since 2015, the Dublin system of returns has almost completely broken down. Very few countries honour it; they basically ignore it. It exists on paper, but in reality it has stopped working.

The good news is that we have stepped up our returns activity, particularly with France. Of the migrants that have come in small boats, we have so far returned 53, and of those, 25 were returned to France. That might not sound like a lot, but it is a record number, and we are getting increasing co-operation in returning migrants to France. We need evidence that they have come from France, and we have new ways of finding that evidence.

Q896 **Rehman Chishti:** I welcome that. You mentioned the co-ordination centre in November, when it was first being set up, and since then we have heard that the numbers have increased. Of course, that co-ordination centre and the work we are doing with the French is a great idea if it works, but the reality is that the numbers are increasing. What more will we ask the French to do, and how can we improve the co-ordination centre to ensure that it does what it was intended to do, namely address the number of individuals coming over?

Sajid Javid: You mentioned Serbia; I will come on to the other point later. The route through Serbia has been shut down. Serbia is no longer, as I understand it, offering visa-free travel to Iranians. The nationality of most of the arrivals is Iranian.



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Q897 Rehman Chishti: I have just been told that I have one minute. Can I move on to another issue? We will come back to this one later. This is my last question. You will have seen the report published by the Foreign Office on the persecution of Christians overseas—

Sajid Javid: Is this a different question?

Rehman Chishti: Yes, it is a different question. I am running out of time, and I want to ask a supplementary question. Others will come back to the other stuff that I have left unfinished. On the issue of religious freedom, the report published last week by the Foreign Office and the Bishop of Truro said that Britain was not doing enough when it came to supporting those who are being persecuted for their faith. We have asked you this question before on the issue of Asia Bibi. That report covers why Britain failed to offer asylum. You had questions from others earlier about supporting those who want to come and preach and work together with others. On the issue of Asia Bibi, after this report—I assume the Foreign Office and the Home Office work together—will our policy change, so that when we see individuals who are persecuted, they are given asylum in our country? We can't now say, "That case is live," because it is not live. She has gone to Canada; we didn't do the right thing. After this report, will our policy change to ensure that we support those being persecuted for their faith abroad?

Sajid Javid: First, I very much welcome the report from the Bishop of Truro. That kind of work was long overdue. Speaking first for the Government, and then for the Home Office, I think that as a Government there is more we can do to protect persecuted minorities, including persecuted Christians, across the world. The Home Office's role in that is to provide refugee protection and other types of humanitarian protection. We are ready to do that. We have long been ready to do that, including in the case that you just mentioned. It is a much wider Government approach. The Home Office can guarantee protection only once they have arrived in the UK. Before that, other parts of the Government need to work together to do that.

Q898 Rehman Chishti: So the Foreign Office has to come to the Home Office—

Sajid Javid: Given the report that the Foreign Office commissioned, they need to set out exactly how they can work with the Home Office and others to do more.

Q899 Rehman Chishti: So the Foreign Office never came to you on this case?

Sajid Javid: I'm not saying that. I'm just saying that it has to be a combined Government approach. There is only so much that the Home Office can do. There is a huge role here for the Foreign Office, too.

Q900 Rehman Chishti: Final question on that: you have just said that the Home Office deals with what other Departments come to you to assist them with. Can you clarify this issue, which we have raised before? It is linked to the report, which we all welcome—there was a debate on it last



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week. Looking at that case, where did things go wrong, what needs to be done, and how does procedure need to be applied to ensure we do the right thing and help those who are being persecuted?

Sajid Javid: There are certain aspects of that case that I can't go into publicly. The overriding aim, which was correct in that particular case, was protection for Asia Bibi and her family. We work with international partners—particularly the Canadians, but they were not the only ones in that case. That has been successfully achieved, and that's great. Your question more broadly, I think, was: what can the UK do more directly in the future in certain cases?

Q901 **Rehman Chishti:** The report says that the UK needs to look at its immigration policy in relation to how it supports these individuals when they are being persecuted. All I ask of the Home Office is that it reads that report, comes back and says, "Looking at that report, this is how we would have dealt with that case differently."

Sajid Javid: We have already started that process.

Q902 **Chair:** If you are able to write to us on that, that would be welcome. Can you confirm that HMS Mersey and HMS Enterprise did not intercept a single vessel in the channel when they were deployed?

Sir Philip Rutnam: That is correct. There were no interceptions by those vessels when they were operating, which was in January and, I think, into the very beginning of February.

Q903 **Chair:** Can you confirm that it cost the Home Office £700,000 for them not to intercept any vessels?

Sir Philip Rutnam: From memory, it cost just over that—£780,000. However, the purpose of the vessels patrolling was not solely to make interceptions. That is one of the functions that they have, but there are others.

Q904 **Chair:** Do you regard the £700,000 as worthwhile value for money to have two naval vessels patrolling but not actually needing to intercept any vessels, because there were others that could do the interceptions?

Sir Philip Rutnam: It wasn't two naval vessels patrolling. It was one, and then it was relieved by the other. As accounting officer, I was content with that, in terms of value for money. I agree that it is expensive. I would rather that the daily rate from the MOD for the use of a naval vessel was less than £20,000.

Q905 **Chair:** Are you content with it in retrospect?

Sir Philip Rutnam: Is it value for money? Yes.

Q906 **Chair:** In retrospect, it was value for money for them not to actually add anything to the patrols?

Sir Philip Rutnam: I don't think it is fair to say that they added nothing to the patrols. If there had been people in the water who needed to be rescued during that particular period, I am absolutely confident that the

vessels would have rescued those people. The capability they were providing was a capability that would be used if necessary.

Q907 **Chair:** Is that capability provided elsewhere at the moment?

Sir Philip Rutnam: At the moment, it is being provided by, among other things, two Border Force cutters in the channel. It might be worth mentioning, and the Home Secretary has already commented on, their role in saving life. Something like 70% of all the rescues in the channel during the last several months have been through the Border Force.

Q908 **Chair:** Home Secretary, do you regard that as a worthwhile use of £700,000?

Sajid Javid: Yes, I do, for the reasons that the perm sec said.

Q909 **Janet Daby:** Good afternoon, Home Secretary. You are not unaware that people affected by the Windrush scandal have incurred financial loss. It has had an impact on their physical and emotional wellbeing, and some people have died since. The compensation scheme for the individuals affected by this scandal has been criticised for the levels of compensation offered, the delay in issuing the payments, and the difficulties around application. How do you respond to this?

Sajid Javid: First, as you said and as I will not deny, people have been very badly affected. I would obviously go much further than that: I have apologised on behalf of this Government and previous Governments for how some members of the Windrush generation were treated. Part of putting the wrongs right is the compensation scheme, but our response to Windrush is, as you know, much broader than that, with a taskforce, lessons learned work, and other things.

Turning to the compensation scheme, first of all it is of course absolutely right that we have one. That is not to suggest at all that money, no matter how much it might be, is enough to right the wrong for those who, for example, were wrongly detained, but a compensation scheme is still an important part of the response, just as Government try to compensate financially people who might have been wronged in other areas.

It was also right that there was independent oversight of the scheme. That is exactly what we did with Martin Forde, QC. While you say—I can understand you saying it—that in some quarters there has been criticism of the scheme and the payments system, whatever scheme we came up with, someone somewhere would be saying, “This is not enough.” We have to stand back and ask, “Is this a reasonable response to what happened?” That is why this independent oversight was crucial.

Martin Forde has welcomed the compensation scheme. We have tried to make it as easy and as straightforward as possible to access—and not just in terms of how payments are done. For example, I did not want a situation in which people felt that they had to use lawyers or other professionals to access something that should be straightforward. We have had, and continue to have, a series of public engagements across the UK—more than 17 of them—with which we have been directly involved. Those



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promote the scheme, show how it works, and help people go through it. We have worked with the Citizens Advice service, so people can get independent advice.

It has been roughly three months since the scheme started. According to the latest figures I have, it has received just over 500 claims. It will run for two years. We assume that we will get something like 15,000-odd claims. We had to make some assumptions of that kind to make sure we were properly staffed up. We have a dedicated operational staff team of 130 people to help run the scheme; we have help lines based in Sheffield; we have a registration centre; and we have UKVI people and people from Croydon helping, so we have put in a lot, and will continue to do so.

As the scheme progresses, my mind is very open; if improvements can be made to people's access to it, we will look to see what more can be done.

Q910 Janet Daby: It sounds as if the Government are trying to do a lot to enable people to make the application. Given that, why do the Government believe that legal aid is not required for Windrush applications if it could enable and support the process for those people who need such support?

Sajid Javid: It is precisely because we wanted to make sure we have a scheme in place that is easy and straightforward to access, without people feeling that they need to go to lawyers to help them to access the scheme. Was that your question?

Q911 Janet Daby: It sounds like there is a level of naivety that people are not worried, fearful or concerned about being able to trust the Government because of the situation that has transpired. My question is about the fact that legal aid could be offered to people when they make an application or when they feel that they need legal support.

Sajid Javid: We reached an agreement with Citizens Advice, which can provide independent support to anyone who feels they need it when accessing the scheme or thinking about whether they should apply to the scheme. For anyone who feels they need some kind of independent involvement—independent of Government or any other public organisation—that kind of support is available.

Q912 Janet Daby: But not legal aid?

Sajid Javid: Not legal aid.

Sir Philip Rutnam: Could I comment on that briefly? In designing this scheme, we really did try to learn lessons from previous compensation schemes that had been run, many of which ended up with significant costs being absorbed by legal advisers and intermediaries. Sometimes that was very damaging both to the operation of the scheme and, critically, to the interests of claimants. We have been trying to make this as simple and straightforward as possible, which is one of the principles behind the design of the form, but also the way in which assistance is provided.

Q913 Janet Daby: I hear you, but there is something about a level of security



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of knowing that you can go somewhere to get the legal help should you need it, as some type of safety net for people.

How many urgent applications for exceptional support from the Home Office have been received, and how many payments have been made?

Sajid Javid: We will get an update to these numbers in the next few days, but these are these latest numbers I have: there have been 13 payments under the urgent exceptional support policy. Forty-one payments have been declined, three have been withdrawn and 34 are under consideration.

Q914 **Janet Daby:** Could you say anything on why the 41 have been declined?

Sajid Javid: They will all be for different reasons, and I do not have a breakdown of them. Each one is very carefully looked at. You can imagine that people will make claims and there will be reasonable grounds to decline them. For example, there will be claims from people who were not even part of the Windrush generation and had nothing to do with it, but they see an opportunity to make an application to the Government for some funding and they will try it on.

Q915 **Janet Daby:** Out of a potential 57, 13 payments have been made. My last question: in 2018, Stephen Shaw said in a Government-commissioned report that he found “the policy of removing individuals brought up here from infancy to be deeply troubling. For low-risk offenders, it seems entirely disproportionate to tear them away from their lives, families and friends in the UK, and send them to countries where they may not speak the language or have any ties. For those who have committed serious crimes, there is also a further question of whether it is right to send high-risk offenders to another country when their offending follows an upbringing in the UK.” Could I have a response to that?

Sajid Javid: First of all, when you said remove, I think you mean deport.

Janet Daby: Removed or deported.

Sajid Javid: Well, they are different.

Janet Daby: All right—deported.

Sajid Javid: I think you mean deportation because you mentioned foreign national offenders. I think you are referring to foreign national offenders who are deported after they have served their sentence, who had been living in the UK since there were a child. I think that is what you are referring to.

Q916 **Janet Daby:** Twenty-nine people were taken back to Jamaica. They were deported, in either sense, and it is about the fact that these people came here from infancy and then are being viewed as needing to be deported or detained. I just want to know what your view is.

Sajid Javid: I just want to make sure we are talking about the same things, because I want to make sure I answer your question. I think you referred to foreign national offenders that are deported because they have



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committed a serious crime at the end of their sentence, and you have highlighted that, in some cases, those people who are deported—obviously, once they are deported they are adults, but they may have lived in the UK from childhood onwards. Your question was whether that is appropriate policy.

Q917 **Janet Daby:** Yes. Do you think that that is right?

Sajid Javid: Yes, I do. I think it is absolutely correct. If you are a foreign national living in the UK and you have committed a serious crime, it is absolutely right that we do everything in our power to deport you to your country of origin. Whatever your country of origin is—country X—even if you have lived in the UK since the age of 10, then it is still right that we try to deport you.

If that individual wants to challenge it on human rights grounds or the grounds that they have created a new life for themselves in the UK, they can do that, but one of the reasons that we are able to do this is because we are required to do this. I am required to do it by law, because of an Act passed in 2008 by the then Labour Government that required the Home Secretary to issue a deportation order in all such circumstances, regardless of how long that individual has lived in the country and what age they arrived. It is the law.

Janet Daby: Can I ask one follow-up question?

Chair: We will come back to that if that is all right, because we need to cover a few other points first.

Q918 **Douglas Ross:** Home Secretary, could I start by asking what your reaction was last week to the 1,187 tragic deaths in Scotland last year as a result of drugs misuse, particularly since it was three times higher than the rest of the UK, the highest in Europe, and indeed higher than anywhere else in the world where these figures are recorded?

Sajid Javid: Whenever I hear of anyone, whether in Scotland or anywhere in the UK, dying from drugs misuse, it is a tragedy. It is a reminder to me of how harmful controlled drugs are, and why they are prohibited. It shows you that, ultimately, it can lead to someone's death, which is obviously tragic not just for the individual concerned, but for their family and friends. There are also many people sadly suffering in other ways from drug addiction; it is affecting their whole families, but also the communities they live in.

Seeing some of the numbers in Scotland, there has been an increase in people who have sadly died from drug overdoses. In England and Wales, I think there has been a slight decrease year on year, but nevertheless, whether it has decreased or increased, the numbers are of concern.

Q919 **Douglas Ross:** My question is that it is a 27% increase in Scotland in the last 12 months, the highest ever since these figures were first recorded in 1996. I know that an invitation has been sent by the Scottish Government for the UK Government to be involved in talks and



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discussions about this. I do not think we should get down to a constitutional argument about devolving more powers, because you would not think there would be such a big difference in England and Wales compared to Scotland if it was just an issue on devolution of powers. However, do you think the UK Government could perhaps support and advise the Scottish Government as to how to tackle this problem, given that it is so much higher north of the border than south of the border?

Sajid Javid: You mentioned devolution. The whole area of treatment, misuse of drugs and prevention is broadly a devolved area. For many areas of social services, education and the health service, that will be something that the Scottish Government will rightly take very seriously and focus on.

On the issue of whether drugs are prohibited or not, that is a UK-wide issue. I am aware that a number of parties have expressed interest in looking at this issue; broadly, whether it is possible to have drug consumption rooms or overdose prevention centres—you can describe them in different ways—in Scotland. That is prohibited, and the reason it is prohibited is that it would fly directly in the face of our long-established policy of making sure we do what we can to stop people having access to drugs that could ultimately kill them. If we were to have these rooms, it would mean that you would have some space that would be designated for people to consume illegal drugs.

A report has just come out. When people have taken the time and effort to put together reports like that on such important issues I would always look at them, and I would want to look at it. We keep policy under review, but we have no intention of changing current policy at this point.

Q920 **Douglas Ross:** But potentially you could work with the Scottish Government over and above these issues, because clearly something is happening in Scotland, in their health system, their education system, their social care and their housing that is not happening south of the border. I am just wondering, rather than getting into the issue about devolving more powers, whether there would be a willingness for the UK Government to perhaps share best practice on how we can stop so many people in Scotland dying.

Sajid Javid: Absolutely. Work like that already takes place, for example through Public Health England. I know that they work with some of their Scottish colleagues.

Q921 **Douglas Ross:** Sir Philip, may I put these questions to you, since you have most recently answered in the House on this? How would you rate the Home Office's success in delivering the Emergency Services Network?

Sir Philip Rutnam: It is a very large and very challenging programme, essentially developing and delivering a whole new telecoms networks for emergency services. I would say that we have had a number of years in which the programme has been—



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Q922 **Douglas Ross:** Sorry, Sir Philip—you are aware that we are on a nine-minute limit. How would you rate your Department's delivery of the Emergency Services Network?

Sir Philip Rutnam: To use one word: improving. Significantly improving—two words.

Q923 **Douglas Ross:** Significantly improving? It is going to cost £3.1 billion more than it originally cost. An almost 50% increase in the cost is, according to the permanent secretary of the Home Office, "significantly improving", in two words.

Q924 **Sir Philip Rutnam:** The overriding reason for the cost increase is to do with not the cost of the investment in the new programme, but the fact that the timeline for delivering the programme has shifted. It is taking longer. *[Interruption.]* As a result of that, if I may just finish the explanation, we will continue to run the existing network, Airwave, for longer.

Q925 **Douglas Ross:** Until 2022.

Sir Philip Rutnam: The earliest point at which we will be able to switch off Airwave is the end of 2022. It could be later than that, and we have been very clear—

Q926 **Douglas Ross:** Therefore the cost will be even more than £3.1 billion extra.

Sir Philip Rutnam: No, I think the cost estimates allow for the significant contingency that we have built into this major programme.

Q927 **Douglas Ross:** For extending Airwave up to 2022, but not beyond 2022, because there is a cost if you have to extend Airwave beyond that. Are you saying to this Committee that there is no cost implication if the Home Office requires Airwave to remain active beyond 2022?

Sir Philip Rutnam: Of course there is a cost implication.

Q928 **Douglas Ross:** Okay. Therefore there would surely be a cost implication, increasing it from £3.1 billion.

Sir Philip Rutnam: Of course there is a cost implication associated with—

Q929 **Douglas Ross:** I think you need to clarify that, because that is not the answer that you just gave.

Sir Philip Rutnam: Of course there is a cost implication associated with Airwave running for longer, but the figure that you have quoted—the £3.1 billion—is derived from a budget for the programme that includes contingency that itself assumes that it is possible that Airwave may need to run for longer. We have an objective of switching Airwave off no later than the end of 2022 but, as is common in major programmes, we have a budget that includes contingency that recognises the fact that that objective may not be achieved.

Q930 **Douglas Ross:** To quote your own words back at you again, is it a



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“significant improvement” that it will be a decade from this month before we expect that the financial benefits will outweigh the cost—seven years later than predicted in 2015? Is it a “significant improvement” that we have to wait a decade from now until the benefits outweigh the costs of this programme?

Sir Philip Rutnam: I make no pretence that the project is anything other than very challenging and very complex.

Douglas Ross: But it was in 2015 when the Department made these assumptions.

Sir Philip Rutnam: Why did I say that our approach to the programme is significantly improving?

Douglas Ross: Well, I’m not sure, because that was not the question. I don’t have long. My question, because that was not the question I asked you, is: how many people are currently working in the programme team for this?

Sir Philip Rutnam: From memory, about 150 or 160.

Q931 **Douglas Ross:** Why did 100 people leave the programme team last year?

Sir Philip Rutnam: Because we took the view, as part of a major reset to the programme, that we had too many people working on the programme. We actually needed a smaller and, on the whole, higher-quality team. We also needed to shift the balance between contractors and civil servants. We actually needed more people who were permanently employed on the programme. We had a significant reset not just of the programme in terms of timelines, and not just of the commercial arrangements with the major suppliers, which were also being concluded, but of the programme leadership—we brought in new people—and of the skill mix within the programme team.

Q932 **Douglas Ross:** What criteria are you going to use to allow forces to judge whether the new ESN is as good as the current Airwave?

Sir Philip Rutnam: There are a whole range of acceptance criteria associated—

Q933 **Douglas Ross:** And what are they going to be?

Sir Philip Rutnam: Well, there is a very large number of acceptance criteria.

Q934 **Douglas Ross:** If you’ve got them, you could write to us this afternoon to tell us.

Sir Philip Rutnam: Not this afternoon, but we can certainly write to you about the—

Q935 **Douglas Ross:** So, you know today—on 22 July—what the criteria will be to give to the 107 forces across the country for them to judge if Airwave



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is better than ESN, or otherwise?

Sir Philip Rutnam: There are a whole range of criteria—

Douglas Ross: And do you know them right now?

Sir Philip Rutnam:—which relate to what the programme is to achieve. However, there will also be elements of judgment, as in any major programme, and critically we have given an assurance to the senior leaders of the police and the other emergency services that we will not turn off Airwave until they are content—this necessarily involves judgment—that this critical service will provide them with the assurance that they need, not least because of the safety-of-life dimension of ESN for police officers, fire officers and a whole range of other emergency services. So, yes, there are lots of criteria—

Q936 **Chair:** We would like to see those criteria.

Sir Philip Rutnam: But there are also elements of judgment involved. And I am very happy to write to you—

Q937 **Chair:** If you could send us those criteria, Permanent Secretary, that would be very welcome.

Sir Philip Rutnam: We will write to you.

Q938 **Tim Loughton:** Home Secretary, is it your dream still to be Home Secretary in a week's time?

Sajid Javid: I'd love to be Home Secretary in a week's time, but that will be a decision for the new Prime Minister.

Q939 **Tim Loughton:** Right. And in the near-15 months that you have done the job, what do you think has been the highlight and what has been the low point?

Sajid Javid: I don't think of my job like that, but I obviously want to do all that I can to make sure that the Home Office, under my leadership, is making a difference.

If I look back to when I set out my priorities early on, uppermost in my mind from day one was righting the wrongs of the Windrush generation, which is something we have just talked very briefly about. And I think that the work we have done there—whether it is the Windrush scheme, the lessons learned, the compensation scheme—it is important that that continues.

We talked earlier about policing and crime more broadly, but in particular serious violence. That is something that we have made many changes on, but it will take time to continue to make a difference, whether that is in resourcing or powers. That is important.

We talked about drugs earlier. I know it is in a different way, but I think that the change I made to access to medicinal use of cannabis is

important, in terms of helping people with certain severe illnesses that are drug-resistant to other types of drugs.

There is the work on counter-terrorism, including launching the new counter-terrorism strategy, and the work that we continue to do on that, including the work on extremism—

Q940 **Tim Loughton:** Okay. Before we go through your entire file on the good points, what about the low points?

Sajid Javid: Well, you asked me and there is a long list.

Q941 **Tim Loughton:** I did, I know, but I've only got nine minutes, as you know.

Sajid Javid: I could take up the whole nine minutes, if you want me to.

Q942 **Tim Loughton:** No. What are your regrets?

Sajid Javid: My regrets?

Tim Loughton: "I have none." Let me throw one at you. With the child asylum seeker situation at the moment, do you think that you could have done more and that the Government should have done more in terms of allowing more child asylum refugees into the country under the current schemes, and more children into the country quicker under family reunion schemes? Are you satisfied with where we are on that?

Sajid Javid: You asked me specifically about child asylum seekers, who are clearly the most vulnerable when it comes to asylum seekers—both children and also others who we are focused on, such as people with disabilities or other issues. And your question was, "Could we have done more?"

Looking back, I think we have done a lot. There are certain things that I wish that others had done more—it's a bit out of our control. For example, with the so-called Dubs children, to get to the number that was set before, I got rid of the 480. I wish that we'd got, and we're still trying to get, more co-operation from the Italians, the French and others, to help bring more children through.

However, I have also claimed new types of leave, for example for the so-called Calais children, where I was presented with a situation where there were quite a number of them—I don't remember the exact number—who would not have qualified for humanitarian protection in the UK under our usual rules. So I created a new type of leave.

I think that, while we have done a lot more it is a space that we need to continue work on, not just for my Department, but we work very closely, for example, with local government in placing these children around the country.

Q943 **Tim Loughton:** Okay, are you concerned, post-Brexit and new Dublin arrangements, that children will not be able to claim family reunion transfer here under such a broad range of relatives, given that your



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predecessors and immigration Ministers have certainly indicated that they would want us to be able to extend that invitation to as many of those children as we currently do, at least? Is that not something that you might have resolved before now?

Sajid Javid: Your question was: am I concerned we won't be able to do it post-Brexit. Is that what you asked me?

Tim Loughton: Because if we aren't covered by Dublin then the definition for the family reunion qualifications would be less under our own than it is that we have signed up to under Dublin. So that means potentially fewer children would be able to come here under our equivalent scheme, and your predecessor and immigration Ministers have indicated that they would want to resolve that; but so far that has not actually happened.

Sajid Javid: I was just looking up the latest. In the year ending March 2019 we issued 5,662 family reunion visas, of which 2,766 were children, so this is an area we are very active in, and concerned enough to want to do more. In the case of—I think you are talking about a no-deal situation, because in a deal situation first of all we would have the transition period of two years—

Q944 **Tim Loughton:** We are not necessarily covered by Dublin.

Sajid Javid: Yes, not necessarily. What I would want to see is a post-Brexit arrangement where we can continue to work, ideally on a multilateral basis, but even, with some of the key countries—because most of the reunions, there are some countries that are of greater concern to us, in terms of we continue to have a good relationship with, in terms of family reunion—we want to see if we can reach bilateral agreements, if we can, to continue to help with family reunion.

Q945 **Tim Loughton:** Sir Philip, can I ask you—because when you appeared before us over a year ago with the previous Home Secretary you undertook to launch an inquiry into leaks from your Department, which seemed to be happening quite a lot—how has that gone?

Sir Philip Rutnam: I don't recall exactly which leak that exchange referred to.

Tim Loughton: It was one of many. That is the problem.

Sir Philip Rutnam: There have been a number of leaks. We do regularly undertake leak inquiries where there is any prima facie evidence that the leak may have come from within the Department. We also have, from time to time, some successes with those leak inquiries, but I wouldn't say that it is an easy process.

Q946 **Tim Loughton:** I don't think you have really answered my question, because there was a specific leak inquiry following the departure of the previous Home Secretary, I seem to recall, and your appearance in front of this Select Committee. Is it your assessment that there have been fewer leaks over the last year or more, and are you getting better at plugging them or detecting the culprits when they still happen?



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Sir Philip Rutnam: As I say, I don't recall that particular exchange. Have there been fewer leaks or more leaks in the last 12 months compared to the previous 12 months? I would say in terms of the Home Office I don't actually detect—this is an impressionistic comment rather than one that—

Q947 **Tim Loughton:** That is a bit worrying, because it was a serious problem, which we flagged up with the Home Office, that your Department more than most seems to be prone to leaks, and if you haven't even got a rough number of the number of subsequent leaks there have been since we flagged that up it suggests you are not taking it very seriously, which is why I come back to: you launched a specific review and we haven't heard how that review went. It was a generic review about leaks from the Home Office.

Sir Philip Rutnam: I have to say I don't recall a generic review, but we clearly need to trace that particular exchange. We do undertake specific leak inquiries in relation to individual instances where, as I say, there is evidence to suggest it may have come from within the Home Office. My impression is I don't think the frequency of those has increased in this last 12 months compared to the previous 12 months.

Q948 **Tim Loughton:** But you do have a number.

Sir Philip Rutnam: It is also not something on which we report publicly. We do not necessarily make public the fact that we are undertaking a leak inquiry. There could be good reasons for not making it public.

Q949 **Tim Loughton:** There could be a leak about your leak inquiry, so it might be more helpful—

Sir Philip Rutnam: I will see whether there is any information we can share with the Committee, but I want to—

Q950 **Tim Loughton:** That would be very helpful. Finally, in the limited time I have left, I would like to ask when did you last speak to members of the historic child abuse inquiry?

Sir Philip Rutnam: When did I last speak to members of the historic child abuse inquiry? I think it would have been something like 18 months ago that I went and met the chair and members of the inquiry. I have made a request to see the chair of the inquiry again, essentially only for the purpose of making sure that the Department is providing the right sort of support to the inquiry. I think that request is going to be taken forward once the inquiry has finished its current phase; I can't remember the exact title of it, but there is an element of the inquiry which is around Westminster and Whitehall. Once that phase has come to an end, I would expect to speak to Professor Alexis Jay again.

Q951 **Tim Loughton:** Your predecessor, with all the problems that happened with that inquiry early on, said he would be taking a particularly close interest in the scrutiny of that inquiry. You have not carried that on, if you have not actually seen them in more than 18 months.

Sir Philip Rutnam: I have carried it on in a different way. We have regular liaison—

Q952 **Tim Loughton:** At what level?

Sir Philip Rutnam: With the secretary of the inquiry. In fact, I have strengthened the team within the Department that is responsible for the sponsorship of a series of public inquiries, panels and the like. So there is regular liaison with the inquiry team on the progress. I would also observe that I think the inquiry has been making much better progress in the last one or two years than perhaps was the case when there was a rapid succession of chairs.

Q953 **Tim Loughton:** When was it last on the agenda at the Home Office board meeting?

Sir Philip Rutnam: We have considered our position in relation to public inquiries and reviews in the round. We get management information every month, which bears on our role as a sponsor of public inquiries, reviews and the like—other independent activities for which the Home Office is ultimately the sponsor.

Q954 **Tim Loughton:** In the last 18 months has there been an agenda item on the board specifically on this inquiry?

Sir Philip Rutnam: On that particular inquiry, I don't think there has, but on inquiries in the round—public inquiries, panels and the like—yes.

Tim Loughton: I am not interested in other inquiries; just that one. So it's a no. Thank you.

Q955 **Chair:** A quick follow-up question. Home Secretary, how many children are there in France at the moment, either child asylum seekers or child refugees, who have been given approval to join family here, but who are still waiting for transfer?

Sajid Javid: In France, at the moment?

Chair: Yes.

Sajid Javid: I don't think I have that number with me.

Q956 **Chair:** I asked you that question in a letter from the Committee on 8 May. We are still waiting for an answer.

Sajid Javid: Okay. I will make sure you get an answer.

Q957 **Chair:** We asked for an answer by 24 May. The reason we asked that question is that we had been told that there had been a big increase in the number of children and teenagers who had been granted approval but were just stuck because of bureaucracy, waiting to rejoin family. We were also told that the length of time waiting from approval to arriving in the UK had gone up from 26 days to 198 days. Do you find that figure shocking?

Sajid Javid: That would be a very disturbing figure, if it is correct.



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Q958 **Chair:** Can I ask you to get us an answer on that by tomorrow?

Sajid Javid: Yes; that is perfectly fine. I will get you that.

Q959 **Toby Perkins:** Good afternoon Home Secretary. According to media reports you requested an additional £2 billion from the Treasury for additional border staff to be ready in the event of no deal. Were you successful in attracting that money and are we ready, or on target to be ready, for managing our borders in the event of no deal on 31 October?

Sajid Javid: First, as you know full well, Mr Perkins, you should not believe everything you read in the media. I know which report you are referring to and I would guess it is probably referring to the fact that the Treasury itself had said publicly that it had set aside that sum, because the only £2 billion number I recognise is that the Treasury said that they had £2 billion of funding for EU exit across all Departments for 2019-20. That is the only £2 billion I recognise.

Q960 **Toby Perkins:** To help you on that, it was a report following a Cabinet meeting at which it was claimed that you demanded this money from the Treasury. I cannot imagine why it might have been in anyone's interest to think that you were attempting to get more money in that Cabinet meeting. That was what the report referred to. Did you request more money from the Treasury to beef up preparations for Border Force in the event of no deal?

Sajid Javid: We have constant dialogue with the Treasury on a number of issues, as you can imagine. One of those will be funding for no-deal preparations. The funding that we have is split year by year. For 2018-19, we received £395 million from the Treasury, plus an extra £5.45 million for certain urgent police preparations. For 2019-20, the Treasury has said that it has set £2 billion aside across Government Departments; from that, we have been allocated £480 million, which we have already announced. For 2019-20, that is still being discussed because it is all part of the spending review work, so that is ongoing work.

Q961 **Toby Perkins:** Do you have the resources required for Border Force that we would need in the event of no deal? If not, are there plans to have them in place by the end of October?

Sajid Javid: We are still finalising. It depends which year we are talking about.

Q962 **Toby Perkins:** It is this year that I am particularly concerned about—this October.

Sajid Javid: For 2019-20, in terms of meeting our current needs, we have the resources that we require, but there is still ongoing work in the Department on what further work we may or may not need to do in preparation for no deal. That might lead to further need for resources and more dialogue with the Treasury.

Q963 **Toby Perkins:** Okay. Sir Philip advised us in February that you were on course to have an additional 900 operational Border Force officials in post



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by the end of March. Was that target reached by the end of March?

Sajid Javid: I believe it was.

Sir Philip Rutnam: Yes.

Q964 **Toby Perkins:** How many of those officials were redeployed from other parts of the Home Office, and how many were additional new staff?

Sir Philip Rutnam: I'm afraid I do not have that figure in my head, but our staff in total has increased by something like 4,000 as a consequence of preparations for Brexit, with a significant number into Border Force as well as UKVI. I would anticipate that the great bulk of those have come from external recruitment, but it is possible that there have been some internal hires as well.

Q965 **Toby Perkins:** Home Secretary, you have stated that a technological solution to the tariff and trade situation on the Irish border is possible and that you have seen the evidence. Can you tell us more about the preparations that have been done and give us your sense of how well developed the prospects are for a technological solution to the Irish border situation?

Sajid Javid: Yes. My comments are based on work that has been done internally at the Home Office; DExEU has been doing work in this space as well, with a working group that is looking much more broadly into so-called alternative arrangements on that all-important border.

I have referred to the fact that existing technologies can be used to avoid a hard NI border. The work that would be required is in trying to put those existing technologies together in a way that they have not been used thus far on any border that we know of, but that work can be done with existing technology. To do so will require not only the technical work that is needed, but some broader political agreement—for both the UK and the Republic of Ireland to want to work together on such solutions.

Q966 **Toby Perkins:** So in terms of achieving those solutions—I will come on in more detail to what they might look like—they could not be delivered without some kind of agreement.

Sajid Javid: Clearly, if you want a system that works for both sides of the border, you would need an agreement on both sides of the border.

Q967 **Toby Perkins:** So in the event of no deal and no agreement, the technological solutions are impossible.

Sajid Javid: You can deploy as much technology as you like on the UK side of the border, but to have proper, fully functional alternative arrangements in place, you would need co-operation between both parties.

Q968 **Toby Perkins:** Could you tell us a bit more about the work that your Department has done on those technological solutions? How far away might we be? How much further is there to go from the work that you have seen to a fully functioning system that people can rely on?



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Sajid Javid: It is work that is being done across Government on alternative solutions. As well as the Home Office, a body called the Border Delivery Group has been established to look at it, and that also involves HMRC, DEFRA and a number of other key Departments. It is combined work that is being done; it is not being led by the Home Office, but we are an important part of it. It would be more for DExEU, rather than the Home Office, to properly report on where that work might or might not be at this point, because we will be responsible only for the Border Force part of such an arrangement.

Q969 **Toby Perkins:** Right. In terms of the Border Force part of it, how confident are you that we would relatively quickly be in a position to have that sort of solution? I have to say that it all sounds very nebulous at this stage, but it might be that it is a lot better worked out in practice than is coming across.

Sajid Javid: I am confident that Border Force can step up to whatever might be required in terms of changes and having alternative arrangements in place. To give you a sense of that, one of the things that we looked at is customs clearance. Looking at arrivals from the rest of the world, customs clearance is already highly automated for Border Force, and some 96% of declarations are cleared within 20 seconds. Border Force also has a number of targeted interventions that they make with HMRC and other Government Departments. As long as Border Force has the right resource and the whole of Government is working together—as I said at the start, you would need to make it work properly and need co-operation from the Republic of Ireland—I am confident that you can have alternative arrangements in place, with existing technology working together, as long as you have good will on both sides.

Q970 **Toby Perkins:** How quickly could that be in place? It sounds like you feel confident that the required technological wizardry could be achieved, but how quickly?

Sajid Javid: It is not wizardry; it is using existing technology. Some parts of that technology have been deployed on other borders. There are different types of technology. Border Force already uses certain technology for cargo and traffic that comes in on WTO terms, and some of it is used on other borders as well. It is about putting that together and working with HMRC. DEFRA is a key Department in this, because a lot of agricultural produce, food and drink products would be involved. I am confident that it could be put together, but the key that needs to fall into place is that you would need to have both Governments working together. That will have a greater impact on time than anything else will.

Q971 **Toby Perkins:** Finally, would you anticipate under those circumstances that there would be a difference in the immigration controls applied to Irish citizens going into Northern Ireland, compared with those applied to people attempting to access the UK from other parts of the EU?

Sajid Javid: No. I have just been talking about goods. You have asked me about the border, and I have been talking about goods. Now you are talking about people.



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Chair: Can I just understand how the goods thing—

Sajid Javid: Just to answer the question about people, if I may, the common travel area stays in place in all circumstances, deal or no deal. Even in a no-deal situation, the common travel area stays in place. That is why Irish citizens are not required to participate in any way in the EU settlement scheme—the common travel area transcends that.

Q972 **Chair:** Can I ask exactly how the digital border and technology would work? You have said it could be in place within two years. Do all the lorries have to have sensors? Is that how it works?

Sajid Javid: I cannot tell you in detail how it is going to work, because it has not been done yet.

Q973 **Chair:** Isn't that a bit of a problem, if you cannot tell us in detail? If this is something that you anticipate could be in place in two years' time, don't we need to know some basic things such as whether this involves technology attached to every vehicle? Does it just involve software changes? Does it involve check-in changes? Can you talk us through it? I don't really understand how this will work.

Sajid Javid: The reason I cannot tell you exactly what it would look like is that it requires both sides to reach an agreement, so it really depends on what is agreed.

Q974 **Chair:** Let us assume that there is commitment to agreement and so on. I am interested in the technology that you have said, with some confidence, is possible to implement within two years. What are the technological changes that would allow you to do that and deliver frictionless trade at the border?

Sajid Javid: Well, you could have a trusted trader scheme, which can mean different things, for high volume exporters. Obviously, the key to this is no change at the border and no infrastructure: a border that is as open in the future as it is today. That is absolutely paramount.

Q975 **Chair:** And how do you do the checks for those who have not signed up?

Sajid Javid: If you had a trusted trader scheme, the high volume exporters on both sides of the border could register under such a scheme. Because they have been pre-vetted, they have gone through an audit process in advance, and through some online mechanism they would be able to set out what they are going to transport and when and how it will cross the border. If there were any tariffs involved—there might not be—the trusted trader scheme could take care of that in a no-deal situation. So there are many ways that you could do that. The broad components of the technology already exist; the question is how to put them together and the timing of it.

Q976 **Chair:** What you describe is a system for companies that choose to comply with the system. They log on and fill in some details. How do you cope with the companies that do not comply and do not log on? What do you do with them? What technology solves that at the border?



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Sajid Javid: That question is not too difficult at all. We already have a border for Customs and Excise. For excise duties, we have a border. Some individuals or parties do not co-operate, just like there are people who abuse and break the rules in any system. We already enforce that between HMRC, Treasury and others, including working with the Garda. We enforce it across the border without any infrastructure on the border. It is often intelligence-led, so intelligence will be a huge part of how such a border will be enforced.

Q977 **Chair:** So for the lorries or goods that might cross the Irish border that have not chosen to fill in a form online in advance, the only checks will be some intelligence-led assessments?

Sajid Javid: No, I am not saying that. Border Force has responsibilities, but HMRC will have a huge amount of responsibility for what the final alternative arrangement system might look like. I am just suggesting that intelligence is one way. You asked me a question about enforcement with those that do not co-operate. My suggestion is that intelligence is one way, but I am not saying that that is the only way.

Q978 **Chair:** You are actually describing a system that involves no additional technology at all; it just uses the existing trusted trader scheme. Is that the digital border that you said would be in place in two years?

Sajid Javid: No, it is not. As I have said, the Government have already set up a working group on alternative arrangements. It is not led by my Department. We contribute to it, but it is led by DExEU. As well as having different Government Departments contributing to that, there are also external experts contributing on the technology side and on borders. That work is being led by others, but I am confident, from seeing the work in my Department and more broadly, that such a border can work. It can be put into place. It can be done in a reasonable amount of time, but the key will be having good will on both sides.

Q979 **Chair:** Is two years the timeframe that you think it is deliverable on? That is what you previously said.

Sajid Javid: I think the answer to how long it will take depends on the level of co-operation that we get.

Chair: Sure.

Sajid Javid: So it is really hard to say whether it will be two years, one year, three years. It depends on the co-operation.

Q980 **Chair:** I am just trying to get to the bottom of the technological processes. It is reported that the Border Force assessment describes exporters and importers needing to adopt new technology, access digital portals and use new blockchain technology. It involves new sensors and the internet of things technology along the route, machine learning and automated revenue collection. Are all those components of this new technological border that you anticipate could be in place within two years?



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Sajid Javid: Where are you reading from?

Chair: From documents given to Sky News.

Sajid Javid: I am not going to comment on leaks. That sounds like a leak. I cannot tell you whether it is accurate or not, so I cannot specifically answer your question. What I can tell you is that, broadly, the technology that is required already exists, but not necessarily put together in the form that would be needed on this border. The key to timing will be how quickly an agreement can be reached by both sides.

Q981 **Chair:** It sounds like you are not anticipating additional sensors—additional technology—in vehicles.

Sajid Javid: I am not commenting on a leak.

Q982 **Chair:** Are you then simply talking about the kind of thing that is the equivalent to the transitional simplified procedures that businesses are supposed to have in place in time for no deal?

Sajid Javid: No. A no-deal situation is different from what we are talking about. I do not want to get the two confused. I am not suggesting that if we had no deal on 31 October—

Chair: I know. I am just interested in whether you are effectively just talking about the same systems.

Sajid Javid: With no deal, what we do not know is how the EU and the Republic of Ireland would react on the border. We certainly know how we might react, but we don't know how they would react. I cannot tell you what they may or may not do on the border.

Q983 **Chair:** Sure. To clarify, I am asking about the technical systems. I am still struggling to understand what these magical technical systems are that you anticipate could be implemented within two years, and which would somehow obviate any need for checks at the Irish border and would be an alternative way of doing it. I am still struggling with that, because you haven't given the answer.

Sajid Javid: As I say, I cannot comment on leaked documents. What I can say is that from the work I have seen—and it is broader than the Home Office, as it naturally should be, because it involves a number of Departments working together—these are not magical, as you call them, technology solutions. This is technology that already exists, which, if deployed in the right way and the right mix, can lead to a completely open, frictionless border with no change at the border itself. I am confident that can be done. Your question has also been about timing. Again, the timing issue depends on how quickly both sides can work together. There has to be the will to do this on both sides. The will exists on our side; what we need is to see more co-operation on both sides.

Q984 **Chair:** Is there any additional technology beyond just the trusted trader scheme?



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Sajid Javid: I know that the alternative arrangements group has looked at a number of different technological solutions, yes.

Q985 **Chair:** Can you tell us what those technological solutions are?

Sajid Javid: I have given you some examples. You would have to—

Q986 **Chair:** I am not sure that you have. All you have told us about is the trusted trader scheme. You haven't given us any additional examples of what this additional technology might be. We are trying to assess realistically how practical this technology is and how long it might take. We are really struggling; we simply don't understand what this technology is, and you don't seem to be able to tell us.

Sajid Javid: As I say, I can only speak to Border Force, but Border Force is not the only player. *[Interruption.]* Sorry. It's probably Border Force.

Chair: You might need to answer it. Maybe we will get an answer.

Sajid Javid: HMRC and DEFRA are absolutely key in this, so the work is rightly being led through DExEU. It involves a number of Departments, and all of them will be looking at certain aspects of technology that could be deployed, so if you wanted to get a better understanding, you'd have to get it from DExEU.

Q987 **Chair:** Is there new technology beyond the trusted trader scheme? Is there new technology that any of you have been looking at?

Sajid Javid: When you say "new" technology, you don't mean technology—

Chair: Any technology in addition to what is in place already.

Sajid Javid: There is existing technology, either deployed already in the UK or deployed by others at other borders and which can be deployed.

Q988 **Chair:** Just give me an example from another border, something in addition to the trusted trader scheme—the stuff we have in place at the moment that some companies use. Just tell me anything that is additional to that that you anticipate will solve this.

Sajid Javid: It is for DExEU to answer that and to go into the technology. This work has been going on for a number of months now, and it will be for DExEU to set out, when the time is right, what technology they have been looking at.

Q989 **Chair:** But roughly, what is it? I don't need to understand how it works. Roughly, is this stuff at the border, or is this stuff not at the border? Is it software? Is it hardware?

Sajid Javid: This is work being led by DexEU, and it is appropriate that they set that out.

Q990 **Chair:** Okay, but you have spoken with great confidence about this technology somehow being in place. We have asked you about the emergency services network, which is years overdue. The e-Borders



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project that the Home Office introduced took over a decade to introduce. There have been so many struggling and failed IT projects that the Home Office and other Departments have been involved in. Why should we believe that there is any magical technology that will solve this, if you cannot even describe what it is, never mind give us any kind of practical, credible timetable for implementing it?

Sajid Javid: For a couple of reasons. First, this is a Government-wide effort—it is not just the Home Office—so there is a huge amount of resource going into this, and a specific group is charged at looking at this, which brings in all the different levels of expertise across Government and outside of Government. I think it has the right level of resource and focus. It is correct that it be cross-Government, so the approach from day one has been correct in terms of resourcing. I think that will continue. Let us wait and see who the new Prime Minister is, but I think this will remain a priority piece of work.

You also alluded to projects in the Home Office. In the Home Office, there will be projects under successive Governments that have not worked as originally set out in the plans, but there have been projects that have worked. We alluded a bit to the EU settlement scheme, which is a huge project involving up to 3.5 million people who need to set out their settled status. It is an electronic-only project. Almost 1 million have used the scheme already and it is a success. The Home Office is perfectly capable of having large, complicated tasks that require big projects using new technology and making it work.

Q991 **Chair:** This Committee might need to be convinced of that, given the questions we have had to put to you. I am just a bit worried that you don't even know what this technology is. Can you tell me that you know what this technology is, that it exists, and that it will solve the issue?

Sajid Javid: As far as the Home Office's involvement is concerned, I have discussed it with officials and I have seen reports on what kind of technology can be used, and there is recorded discussion.

Q992 **Chair:** So you have seen reports on some new technology that could be used?

Sajid Javid: In terms of Border Force, yes, but it is broader than that. I have not been sitting there with HMRC going through every piece of technology that they think they may or may not be able to deploy here, but across Government, I am confident that the work is ongoing, strong and broad enough to properly perform.

Q993 **Chair:** Just give me an example of a Border Force bit of technology, then. I don't mind; I will take that.

Sajid Javid: I have given you an example: Border Force will be involved in a trusted trader scheme.

Q994 **Chair:** That is an existing scheme, so this is my question: is there any new, additional technology?



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Sajid Javid: Yes, but it will be deployed in a different way. If you want another example, I would be happy to write to you and give you one or two more examples of technology that is being used on borders, which can help make borders frictionless. I would be happy to send you more examples.

Q995 **Chair:** Sir Philip, how many staff do you have working on this new technology, which we are not really sure exists?

Sir Philip Rutnam: We have a large number of staff working on technology development for Border Force. I cannot give you an exact answer now on how many are working on alternative arrangements, in particular in relation to the Irish border.

Q996 **Chair:** It would be helpful to have some reassurance that there is some kind of plan, or something going on. Home Secretary, do you think the backstop should be ditched?

Sajid Javid: You are asking me a question, which, correctly, should be answered by the new Prime Minister and the Cabinet he puts in place.

Q997 **Chair:** So you have not taken a view.

Sajid Javid: I will wait to see who the new Prime Minister is; his Cabinet will make a decision on these important issues.

Q998 **Chair:** If it is ditched, are you still confident that there will be the technology in place in two years' time to replace it?

Sajid Javid: I will not speculate on what might happen in terms of border Brexit policy, because we are about to have a change of Prime Minister and there will be a new Cabinet.

Chair: We have a small number of quick follow-on questions.

Q999 **Stuart C. McDonald:** Home Secretary, let me take you back to the issue of drug-related deaths in Scotland, which is a tragic and complicated issue. You spoke about wanting to work to understand what is going on here and how we can address it. The Scottish Government have made two specific asks of you: first, that you would be willing to meet with the Minister for Public Health to discuss this issue, and secondly, that a Home Office Minister, either yourself or an alternative Minister, attends a summit in Glasgow, which the Scottish Government will be hosting, to try to get to the bottom of this issue. That is a measure that has cross-party support in Scotland. Would you be willing to sign up to both of those asks?

Sajid Javid: Victoria Atkins in my Department, the Victims Minister, who looks broadly at drug policy in the Home Office, has met the Minister for Public Health—Joe FitzPatrick, I think—to discuss this issue and other drug-related issues. If the Minister wants to have a meeting, I am happy to have one, just on the basis that I think it is always good to talk. Going back to the point made by Mr Ross earlier, about the broader issues here, it is good that if the Minister comes to London for meetings, he meets the Department of Health and Social Care, the Department for Education and



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others, to see if there are lessons to be learned about treatment in cases of drug misuse. In terms of meeting and discussing the issue broadly, I am always happy to meet.

Q1000 Stuart C. McDonald: Good. Would the Home Office be willing to have a presence—you or another Minister—on the taskforce that has been set up in Glasgow? There will be a summit in—

Sajid Javid: I would have to know more about the summit.

Q1001 Stuart C. McDonald: Okay, sure. Secondly on that point—I am sure that the Scottish Government will be absolutely delighted to have all those meetings that you have just suggested—their view is that what has to happen is that we follow what the evidence suggests. We need to implement that, and to have an open mind on what is required here; we need to put all our preconceptions to one side, and look at where the evidence points to—and there is evidence from other countries to look at, as well as from the different parts of the United Kingdom. Are you willing to make that same commitment? Will you put all your preconceptions aside and look at what the evidence suggests works?

Sajid Javid: We have always had the policy—successive Governments have had it, in all policy areas, but especially in something such as drugs and helping people who misuse them—that it is always good to keep policy under review. I referred earlier to the issue of medicinal cannabis, and how that was a change in policy. We set out all the reasons, and I think there was broad acceptance of that, but this is a very different issue. Clearly, the drugs would be illegal, and this would be trying to create a safe space to take such drugs—somewhere illegal drugs can be taken—

Stuart C. McDonald: We are talking about one policy in particular.

Sajid Javid: That is not a policy that I support. But I am always open to evidence. That is one of the reasons why I commissioned the most comprehensive independent review of drugs misuse, which is being led by Dame Carol Black—because I want to be led by evidence.

Q1002 Stuart C. McDonald: I am not expecting you to change your mind on drug consumption before the Home Affairs Committee, but simply to commit to continuing to look at the evidence.

Sajid Javid: Yes, but one thing that I also think Scotland should be looking at—or maybe doing more on, which is why I am open to this meeting—is that the deaths from drugs misuse figure has fallen in England and Wales in the last year, but it has risen significantly in Scotland. While there could be very particular reasons for that—

Stuart C. McDonald: Yes, hugely complicated reasons.

Sajid Javid: We should always be aware of those, but I would also want to know what Scotland is doing in education programmes, in working with local authorities and in working with the Scottish NHS, because there might be areas there where the Scottish Government could do a lot more to help people with drug problems.



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Q1003 Stuart C. McDonald: The Scottish Government are always very happy to listen about what happens elsewhere in the United Kingdom, and further afield as well, but it is wrong to simplify things and say that this is simply down to the response of particular Governments. There are historical reasons here around poverty, drug-taking habits and so on. We are simply asking to look at that in an evidence-led fashion. It is as simple as that—as keeping an open mind.

I point to just one document, a Home Office policy document from 2014. The UK Government's own 2014 report, "Drugs: international comparators", acknowledges: "There is some evidence for the effectiveness of drug consumption rooms in addressing the problems of public nuisance associated with open drug scenes, and in reducing health risks for drug users." That is an acknowledgement even by the Home Office that there are benefits to that particular strategy.

Sajid Javid: I am not familiar with that particular document from 2014, but as I say, if Mr FitzPatrick would like a meeting to discuss more broadly how we can work together to combat drugs misuse, I would happily meet him.

Q1004 Janet Daby: I want to take you back to the discussion we were having about the deportation of foreign nationals. Some people receive a 12-month sentence and an order of deportation for four years or more. Do you accept that there is inequality in sentencing for many black men and those of Caribbean descent in the criminal justice system? What concerns me is that where people are sentenced to an increased number of years, that will impact the sentence served, which could then go on to influence decisions about whether someone is deported. Is a review held that takes that into consideration when you are considering deportation orders, or whether to deport someone?

Secondly, in February, when the Home Office flew 29 individuals back to Jamaica, do you know what situation they went back to? Do you know the outcomes since they have been taken to Jamaica? Obviously, if people have been brought up here since infancy, the chances are that many of them do not have the ties that one may assume they have. Are you reviewing this? This type of thing needs to be reviewed to ensure that people are not sent back into potentially very harmful situations where they are removed from their culture.

Sajid Javid: To take your first question on sentencing, as you correctly say if it is a one-year sentence, or between one and four years, there is a deportation order. For four years, it is a requirement to deport. The individual concerned in most cases will apply to the courts to appeal the decision, so ultimately it will be something that goes through the courts in almost every case. A deportation can only take place if the court has agreed with the decision that has been made by the Home Office.

In terms of the length of sentencing for the original crime, that is obviously a matter for the courts. That is not a matter for the Home Office. I would accept the sentence that someone has received as the correct sentence because that is what the courts have decided, and I



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believe in the integrity and the independence of our courts. The Home Office would not try to take into account whether it is the correct sentence or not. That is not our job.

In your second question, you talked about the individuals recently when we restarted deportation flights to Jamaica. I think it was roughly 29.

Sir Philip Rutnam: I think so, yes.

Sajid Javid: You asked whether they would get any support on arrival in Jamaica. There is some very limited level of support. The Jamaican Government would know exactly who we are deporting, and normally they would receive the individuals once they arrive in Jamaica, but the support would be provided by the receiving country, in this case Jamaica.

You asked me whether I have thought about that, and changes that may or may not be made. The answer is no, not really, because I think it is the correct policy. If someone is a foreign national and they have committed a serious crime—remember that, if it is a four-year sentence or more, we are talking—

Janet Daby: I think—

Sajid Javid: Will you allow me to finish? You did ask me a question. We are talking about people who may have been rapists. They may have carried out murder. They might have carried out a whole series of offences.

Janet Daby: I think you have made yourself clear.

Sajid Javid: They are not British nationals, and it is not our job to spend too much time thinking about how they might be received in the country that we are deporting them to. Our job is to protect British citizens. When it is right, correct and proper, we should take every opportunity to deport them if they have committed a serious offence.

Q1005 **Janet Daby:** From Movement for Justice, that is viewed to be exactly correct in terms of the people who have been deported. Some of the information—this is what has been given to me—has been mislaid. The information has been given to Jamaica, or even to people who live in the country. Therefore when these 29 people have been deported, they are viewed to be very dangerous. That then makes them isolated within Jamaica itself.

What I think we should do as a Government is review what has happened to those 29 people to ensure that the right decisions have been made and that they are not put into a dangerous situation, because from my understanding three people have died. They have been killed since they have been there, so there needs to be some level—

Sajid Javid: Of the 29?

Janet Daby: Of the 29. There needs to be some level of review or follow-up.¹

Sajid Javid: I do not recognise the picture you paint about the 29 after arrival. I will also point out that, at the time that this flight was taking place, there were all sorts of accusations made by many parliamentarians in certain publications about the individuals that were wholly incorrect. It is not surprising, for example, that someone who is on a deportation flight will give a completely wrong and fabricated story about their own situation, and parliamentarians should be careful about what they are told and then trying to present it as fact.

To go to your point, when we are deporting dangerous criminals, my concern is not their welfare in the country that they have been deported to. That is not my concern; my concern is the safety of British citizens.

Q1006 **Chair:** Could you provide any information that you have on what happened to the 29 people, and whether three of them have died? It would be very helpful to have that.

Sajid Javid: This is the first time I have heard that. Maybe you can ask Ms Daby where she got that information from.

Q1007 **Chair:** That's fine. I think we can follow up, but it would be very helpful to have some—

Sajid Javid: Okay, but I would just caution that we will have limited information. Whatever information we have, we will try to put together.

Q1008 **Chair:** But it is obviously relatively serious information, so it would be helpful to have it.

Sajid Javid: Can I also ask, if I may, Ms Daby? She has made that accusation, so perhaps she can supply me with the information that she has so we can look into that too.

Janet Daby: I can provide you the information that has been forwarded to me.

Q1009 **Chair:** Could we also, then, ask you for the information that Douglas Ross asked for about the ESN criteria for judging success? It would also be helpful to have your analysis of the Windrush hardship cases that you have turned down and the reason for doing so, whether it is because people were not eligible at all for Windrush—

Sajid Javid: Forty-one, yes.

Q1010 **Chair:** Exactly, for those, or whether it is because you are assessing their level of hardship and so on. It would be very helpful to have those reasons. Could we also have an answer to my letter on the child asylum

¹ In clarification of this discussion, it has been reported that one of the 29 has been killed, and that four others who have been deported from the UK to Jamaica have also been murdered since March 2018 (['Things are so bad even the police are scared' - deportees live in fear in Jamaica](#); [Revealed - five men killed in the past year after being deported from the UK to Jamaica](#), both in the Guardian, 9 May 2019)



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cases, and on the point that Rehman Chishti raised about the Asia Bibi case and the follow-up as well?

On the issue about the Border Force, the preparation and the technological border, in a response on the Marr programme, you said at that point that you had commissioned some information from the Border Force, and also that you would be happy to publish it if you were allowed to. Can I ask that you provide that information to the Committee? We are very happy to discuss further with you or the permanent secretary the terms of being provided with that information and to follow up after but, as I understand, you have said you would be willing to publish it. It would be very helpful to us on the Committee.

Sajid Javid: It is not my decision. That will have to be a Government decision.

Q1011 **Chair:** Indeed; well, I am putting the request directly to you. If it were your decision, would you be happy to give us all of that information?

Sajid Javid: It is not my decision alone.

Q1012 **Chair:** Well, I press you to follow that up.

Can you just clarify something? You answered these questions, I think, in February. I think both of you confirmed that the current working assumptions in the event of no deal were that the freight flow through the channel would drop by between 75% and 87% over the first six months, and that beyond that, in advance of any new arrangements being agreed—either trade or technological arrangements—the freight flow would potentially drop to somewhere around 50%. Can you confirm whether those are still the working assumptions that the Home Office is working on?

Sir Philip Rutnam: Those assumptions, like all the relevant assumptions, have been subject to continuous review since then, and those assumptions have been revised. The latest set of assumptions that I have for impact on trade in relation to no deal is that it could drop—we are talking here about cross-channel trade, I think.

Chair: Yes.

Sir Philip Rutnam: On a plausible worst case, it could drop to roughly 40% to 60% of current levels for a period of three months. The plausible worst-case assumption is not as bad as the plausible worst-case assumption was back in February. I should emphasise the level of uncertainty around all of this. In particular, this is critically dependent not on action that would be taken by the UK, but action that would be taken by our neighbours—France, Belgium and the Netherlands.

Q1013 **Chair:** Do you have an assumption for what happens after those three months?

Sir Philip Rutnam: I don't, I'm afraid.

Q1014 **Chair:** Final question, then: do you think there will be civil unrest in the



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event of no deal?

Sajid Javid: No, I don't.

Chair: Thank you very much for your time. We appreciate your time this afternoon.