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THE ANDREW MARR SHOW

INTERVIEW:

THERESA MAY, MP

HOME SECRETARY

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ANDREW MARR:

So despite the Prime Minister's promise to throw the kitchen sink at it, the Tories have lost another seat to UKIP. Mr Cameron is urgently seeking a legal, deliverable plan to reduce immigration – the touchstone issue for Nigel Farage and his people's army. Expect to hear more in a much-trailed speech any time soon. But now I'm joined by the Home Secretary, Theresa May. Welcome. Theresa, can I start off by asking you about the new terrorism legislation. This is going some way towards the original so-called Snoopers' Charter, but not the full way. Yes?

THERESA MAY:

The terrorism legislation that we're going to be introducing will cover a number of issues because we've been looking at what further capabilities we need to be able to deal with the increased threat that we now see. And, as you discussed with Sir Bernard Hogan-Howe, JTAC (Joint Terrorism Analysis Centre) did in August raise the threat level for the United Kingdom, the national threat level to 'severe', which means an attack is highly likely. So there are a number of issues that the counter-terrorism legislation will cover. One of them is this issue of IP addresses – identifying the users of certain access to the internet. This is a step, but it doesn't go all the way to ensuring that we can identify all the people we will need to.

ANDREW MARR:

Without getting too technical, what's the difference? If I'm a bad guy, you'll be able to find out what kind of websites I've been on by tracing my IP address, but you won't know what I've been looking at. Is that right?

THERESA MAY:

Well the information that is needed in order to be able to fully identify everybody in terms of these IP addresses does sometimes involve the communications data that we were also talking about in the original bill that we were talking ...

ANDREW MARR:

Right.

THERESA MAY:

... we were proposing – the Communications Data Bill – which parliament through its joint scrutiny committee said was necessary. But this is a step forward, but it is not all the way and it will still be the case - even with these IP addresses being within the legislation – it will still be the case that the National Crime Agency, CEOP and others will still not be able to identify everybody who is accessing illegal content on the net.

ANDREW MARR:

Right. I don't know if you'd a chance to watch him, but David Davis made an interesting point. He said, "The trouble is you have to rely on everybody doing the right thing the whole way through the system for the original data protection legislation to work. Why not leave it to judges? Ask Theresa May why she won't leave it to judges?" So I am.

THERESA MAY:

Well I guess what he's talking about is the fact that for certain aspects and certain of the more intrusive measures that our security service and police have available to them – i.e. Intercept, intercepting people's telephones and some other intrusive measures – the decision is taken by the Secretary of State, predominantly me. A significant part of my job is looking at these warrants and signing these warrants. I think it's ... Some people argue that should be to judges.

ANDREW MARR:

Yes.

THERESA MAY:

I think it's very important that actually those decisions are being taken by somebody who is democratically accountable to the public. I think that's an important part of our system. I think it's a strength of our system.

ANDREW MARR:

In terms of monitoring the bad guys, why not go the whole way back to Labour's control orders. Weren't they right all along about that?

THERESA MAY:

No. When we came in, we looked at our counter-terrorism legislation. We took a number of measures. We introduced the TPIMs – Terrorism Prevention and Investigation Measures. We were very clear that we would look at those and if it was necessary to make any changes, we would do so ...

ANDREW MARR:

But ...

THERESA MAY:

... and we're now proposing within this wider Counter-Terrorism Bill that we're bringing forward, we're now proposing to make some changes as have been suggested by David Anderson who is our independent reviewer of counter-terrorism legislation.

ANDREW MARR:

But they moving all the way ... TPIMs are becoming control orders effectively week by week, month by month, aren't they?

THERESA MAY:

The issues that David Anderson has raised as potential ... potentially to be put into

the TPIMs, which we're following, are relocation, power of relocation ...

ANDREW MARR:

Exactly.

THERESA MAY:

... but, on the other hand, to raise the threshold of the degree of proof that is necessary from reasonable suspicion to the balance of probabilities. So we've looked at the recommendations that the independent reviewer has proposed and it is those that we are proposing to put into the new legislation.

ANDREW MARR:

You'll have heard Sir Bernard talk about the kind of attacks that he's worried about now that the threat level is at 'severe' and I wonder ... the same question to you. Is it the guys with machetes leaping out into shopping centres, lone wolf attacks? Is that what you're most worried about?

THERESA MAY:

Well I think what we've seen happening in relation to the threat over recent months, Andrew, and indeed in the last few years is that the threat has become more diverse. So there was a time when people were looking at perhaps just al-Qaeda related threats – al-Qaeda related threats that were long time in the planning. Now the threat is more diverse in terms of the number of groups out there who will be looking to carry out attacks in the West. It's also more diverse in that not everybody's affiliated to a particular group – some are self-starting groups. And then you do have individuals – perhaps the lone wolves or the volatile individuals. So we have to look across the board at all sorts of threat that are out there.

ANDREW MARR:

Let me turn to domestic politics more generally. You got absolutely hammered in Rochester and Strood. You were determined to stop UKIP there and they rolled over you as a party because, above all, you broke a solemn promise to the British people about getting immigration under control, down to tens of thousands. That's true, isn't it?

THERESA MAY:

First of all, Andrew, let's look at the Rochester and Strood result. And of course I'm disappointed that our candidate Kelly Tolhurst didn't win the seat, but you ... the phrase you use I don't think describes what happened there. Through the campaign ...

ANDREW MARR:

(over) You were going to stop ... stop them in their tracks there.

THERESA MAY:

The phra... the phrase you use doesn't describe what actually happened in Rochester and Strood if you look at the figures because Kelly Tolhurst was a very good candidate. She was campaigning on the issues that mattered to local people and gaining support ...

ANDREW MARR:

(over) And lost.

THERESA MAY:

... and gaining support throughout the campaign. And yes she didn't win the seat, but she cut Mark Reckless's majority down by two thirds. And she will be ...

ANDREW MARR:

(over) But that was the Conservatives' majority in the first place. I mean ...

THERESA MAY:

(over) ... she and we will be campaigning very hard between now and the General Election to win back that seat. And at that General Election will be a very clear choice for people. It'll be a choice between who they want in No. 10 Downing Street – David Cameron or Ed Miliband? Do they want the people with the long-term economic plan that is working or do they want the people that brought ... took us into the recession that we're trying to get out of?

ANDREW MARR:

You had a 10,000 majority at the last election as Conservatives and you were beaten by 3,000 this time. That still seems to me to be being rolled over. But let's turn to immigration because it was a solemn promise. It wasn't a kind of airy comment made on the cuff, on the cuff of the Prime Minister's suit if I can put it that way. He said that immigration was going to come down to tens of thousands by the time of the next election - "No ifs, no buts, that is our pledge to the British people" - and you have broken it.

THERESA MAY:

We have been talking about dealing with net migration, the numbers of people coming into the UK, since before the election. We've looked at the ... what we thought ...

ANDREW MARR:

(over) Talking.

THERESA MAY:

... no ... well I'm going to come onto what we've been doing as well ...

ANDREW MARR:

Right.

THERESA MAY:

... because before we came into government, we said that we wanted to bring net migration down to the tens of thousands. That was down to the levels of the 1990s, which we thought were the sustainable levels of immigration. Now what have we done in government? What we've done is that we have been controlling net non-EU migration - that is now down to the levels of the late 1990s - and we've been changing every single route. So we see reductions in family visas, we see reductions in student visas. We've been rooting out abuse. There are 750 colleges now that can't bring overseas students in. But it is of course unlikely that we're going to reach the tens of thousands ...

ANDREW MARR:

(over) Tens of thousands.

THERESA MAY:

... by the end of the parliament. Why is that? It's because we've seen increasing numbers of people coming from across Europe – partly because our economy is doing better ...

ANDREW MARR:

Exactly.

THERESA MAY:

... than other economies in Europe. And we've been doing what we can in relation to EU migration, but there is of course more to be done and it's that ...

ANDREW MARR:

(over) Can you control that migration? Can you control those numbers whilst still staying inside the EU, do you think?

THERESA MAY:

Well we ... what we have been doing is taking the steps that we believe we can take already and looking to see if there is more that we can do. So we have changed ...

ANDREW MARR:

(over) And the numbers carry on going up, if I may say so.

THERESA MAY:

(over) ... we've changed ... well we've changed, in relation to benefits, people's access to benefits, so people can't come here and start claiming benefits immediately. We've introduced stricter criteria in other areas of looking at people's access to benefits and we continue to look at what we can do. But this EU migration has blown us off course.

ANDREW MARR:

(over) And the numbers carry on going up. The question is can you stop the numbers

going up? Can you put a temporary break on it? Can you put a moratorium on people coming into this country with some new system while we are still inside the EU or not?

THERESA MAY:

Well I believe that it is important for us, as we look ahead to negotiating a new relationship with the European Union, that we put free movement as one of those key issues that we are going to negotiate on and we're going to deal with. And of course the key thing for people is that there is only one party that is going to deliver on that ...

ANDREW MARR:

Yuh.

THERESA MAY:

... because it is only the Conservatives who have said that we would have this renegotiation and then of course put that package to a vote of the British people. But it's important that free movement is in there because this is an issue actually that we see as central stage, but increasingly is being seen by other countries in Europe as an issue they need to address.

ANDREW MARR:

We're going to hear the Prime Minister talking about immigration before Christmas, but are we going to see an end to in-work benefits for EU migrants for two years or so?

THERESA MAY:

Well, you will have to wait and see what the Prime Minister says in his speech. We are looking at a variety of ways in which it will be possible to take action in relation to this issue of free movement, because our overall aim remains to bring net migration to this country down to the sustainable levels.

ANDREW MARR:

Do you agree with John Major that UKIP is un-British?

THERESA MAY:

I think UKIP is a political party that has campaigned on certain issues. I think what's important for us as a Conservative Party is that we understand ...

ANDREW MARR:

(over) Is it an un-British political party in your view?

THERESA MAY:

In my view, what is important for us as a Conservative Party is that we show that we're addressing the issues that are of concern to people. We have been dealing with the issue ...

ANDREW MARR:

(over) So you're not going to tell me about that?

THERESA MAY:

... well we've been dealing with the issue of immigration since we came into government. We've been ...

ANDREW MARR:

(over) Unsuccessfully, if I may say so.

THERESA MAY:

No, not unsuccessfully Andrew.

ANDREW MARR:

Well overall unsuccessfully.

THERESA MAY:

No.

ANDREW MARR

You said it was going to go down. It's going up. That's unsuccessful, surely?

THERESA MAY:

Net migration from outside the EU is going down and that is because we have taken action on every single aspect of that sort of migration - including cutting out abuse, for example, in student visas. There's more for us to do. We continue to ... And I learnt very early on as Home Secretary that on immigration there is no one single measure that is going to deal with the issue of controlling immigration. You have to take action across the board and that's exactly what I've been doing.

ANDREW MARR:

But the fundamental issue which so many voters in Rochester and Strood have noticed and voted on appropriately is that so long as we are inside the EU, you can say all you like but the numbers of migrants carry on going up and there is nothing you can do about it.

THERESA MAY:

No. What the issue is...is about the free movement rules that operate within the European Union. It is only ...

ANDREW MARR:

(over) But they are fundamental.

THERESA MAY:

... it is only the Conservative Party that is guaranteeing people that if in government after the May 2015 Election, then we will renegotiate our relationship with the European Union. Free movement will be one of those issues; that we will be dealing with that.

ANDREW MARR:

(over) Will we win that?

THERESA MAY:

Will we win that negotiation?

ANDREW MARR:

Yes.

THERESA MAY:

I believe that we can win that negotiation because I see within Europe there is a mood now, a greater mood now for looking at this issue of free movement and dealing with the problems that people are seeing in relation to free movement. And that's more than just cutting out ...

ANDREW MARR:

(over) And again ...

THERESA MAY:

(over) It's partly about cutting out abuse, but it's more than that.

ANDREW MARR:

Looking for straight talking here - if you don't get free movement and therefore the open door remains the open door, would you be in favour of us leaving the EU rather than carrying on with this situation?

THERESA MAY:

Well my intention is to ensure that first of all we're elected as a government in May 2015, so that we can do this renegotiation and so that the package ... we can deal with this free movement issue and then put the package to ...

ANDREW MARR:

(over) It's a very straightforward question. Can you not answer it?

THERESA MAY:

Well I don't know what the package is going to be, Andrew. And the point is I ...

ANDREW MARR:

(over) I'm asking you if you don't get an end to free movement of people, if the open door remains the open door after these negotiations, would you be in favour of

leaving the European Union rather than staying in it as things are at the moment?

THERESA MAY:

What I'm in favour of doing is going into the European negotiations clearly having free movement as a key issue, recognising it's an issue for other countries as well, negotiating a package that is right for the British people, and then putting that package to the British people for them to have a vote as to whether we should stay in or out.

ANDREW MARR:

Okay so we're not going to get an answer to that question. Can I ask about something else I was talking to Bernard Hogan-Howe about, which is this widespread belief – and you've raised it in the Commons yourself – that there was a cover-up involving ...over the abuse and murder possibly of young boys by a group of people, including senior politicians and Conservative politicians. Do you believe there was a cover-up and have you found the papers that the Home Office were searching for?

THERESA MAY:

Well on the issue of the files, we had an independent review by Peter Wanless and Richard Whitham looking at how the Home Office had dealt with the files. I was very clear in the House of Commons on this issue of child sexual exploitation, child abuse, that it is not possible to say whether or not there was a cover-up. That is why I think it is so important that we have the inquiry into child abuse, so we actually get at the truth. And there is a real issue for us here.

ANDREW MARR:

(over) Are you going to get to the truth on this?

THERESA MAY:

Well that's why ... that's exactly what I want the inquiry to do. And it's so important, Andrew. There's a real issue here about how was it that in the past but continuing today the very institutions of the state that should be protecting children were not doing so. Why was it that these abuses were able to take place and that nobody was brought to justice as a result of that? We must as a society, I believe, get to the truth of that ...

ANDREW MARR:

Absolutely.

THERESA MAY:

... because I think what we're seeing is frankly, what we've already seen revealed is only the tip of the iceberg on this issue.

ANDREW MARR:

Home Secretary, thank you very much indeed for that.

INTERVIEW ENDS