Rt. Hon. John Hayes MP  
Minister of State  
Department for Transport  
Great Minster House, 33 Horseferry Road  
London, SW1P 4DR

1 November 2017

Dear John

Volkswagen emissions scandal

I write in relation to the Department for Transport’s response to the Volkswagen (VW) Group emissions scandal and its aftermath. In your evidence to the previous Transport Committee and during the Westminster Hall debate in the last Parliament, you indicated that the Department was pursuing a number of avenues to secure redress for the harm caused by VW’s cheating.\(^1\) I would be grateful if you could provide the Committee with an update on the Department’s activities in this regard, and in particular, the points set out below:

1. You previously stated that it is the Department’s position that VW used illegal defeat devices. Given this, please confirm why no action has been taken against VW in respect of the Skoda models type approved by the Vehicle Certification Agency (VCA). In light of the fact that it is now over two years since VW’s cheating was exposed, when will the Government make a decision on what further action it intends to take?

2. Given that the majority of VW models received type approval in other EU countries, you indicated that you were co-ordinating with European, and in particular German, agencies in investigating VW’s actions. Please indicate what discussions you have had in this regard and what progress has been made as a result of these discussions.

3. In December 2016, the European Commission announced that it was taking infringement proceedings against the UK and six other Member States on the basis that they had failed to fulfil their functions under EU type approval legislation. Please provide an update on the progress of these proceedings.

4. Paul Willis of VW UK told the previous Committee in January 2016 that the results of the extensive Jones Day investigation into the origins of the scandal would be published. However, once the investigation was complete Mr Willis informed the Committee that there was no final report from Jones Day and that all relevant findings

\(^1\) Oral evidence: Volkswagen Emissions, 20 February 2017; Westminster Hall debate, Emissions and Vehicle Type Approval, 20 April 2017
In the (29 page) Statement of Facts published by the United States Department of Justice. You informed the previous Committee that you were continuing to press VW to release the full findings of the Jones Day investigation. What progress has been made in this matter? What conversations have you had with your counterparts in the US Department of Justice in relation to accessing this material?

5. You have called on VW to provide UK customers with a similar compensation package as that agreed in the US, where customers received at least $5,100. What progress have you made in securing such a commitment from VW? What support has the Department provided the UK consumers involved in class action cases against VW as a result of the emissions scandal?

6. In your evidence to the previous Committee in February of this year, you suggested that the VCA had not approved the technical measures for some Skoda models because you were “yet to be satisfied that Volkswagen have fully recognised their culpability”. Has the VCA now approved the technical measures for the VW models it has responsibility for? If so, what assurances did you receive from VW to satisfy you that they now recognised their culpability? If not, on what grounds is this approval being withheld?

7. The Committee has received representations from VW owners who claim that the performance of their vehicles has been impaired by the technical measures. Were the tests undertaken by the VCA and other type approval authorities in relation to the impact of the technical measures adequate? Are you satisfied that the arrangement by which cars that have the technical measures applied are covered free for two years or 250,000km of driving if problems emerge with relevant components, adequately protects VW drivers?

8. In August 2017, parts of the auto industry including VW agreed a package of measures with the German federal, state and municipal governments aimed at reducing nitrogen oxide emissions. Although the software update for Euro 5 and some Euro 6 diesel models will apply across Europe, a number of the other measures including trade-in incentives and a contribution to a “sustainable mobility fund for cities” will apply only to Germany. What steps has the Department taken to secure similar commitments from VW and other auto manufacturers in the UK?

9. From 1 September this year, real driving emissions (RDE) have been introduced for new models in addition to the existing laboratory test. However, research commissioned by Greenpeace and carried out by Emissions Analytics suggests that diesel models that emit significantly more nitrogen oxides than the limits may still be passing RDE tests. Are you satisfied that the new emissions testing regime is sufficiently robust to prevent manufacturers from continuing to exploit loopholes?

I look forward to receiving your response to the above points.

Yours sincerely,

Lilian Greenwood MP
Chair of the Transport Committee

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2 The Guardian, New 'real world' diesel tests fail to prevent rush hour pollution peak, 13 September 2017