



Select Committee on the European Union

Corrected oral evidence: Brexit: UK-Irish Relations

Tuesday 11 October 2016

4.05 pm

Watch the meeting

Members present: Lord Boswell of Aynho (The Chairman); Baroness Armstrong of Hill Top; Baroness Browning; Baroness Falkner of Margravine; Lord Jay of Ewelme; Baroness Kennedy of The Shaws; Earl of Kinnoull; Lord Liddle; Baroness Prashar; Lord Selkirk of Douglas; Baroness Suttie; Lord Teverson; Lord Trees; Baroness Verma; Lord Whitty; Baroness Wilcox.

Evidence Session No. 2

Heard in Public

Questions 13 - 32

Witnesses

[I](#): Rt Hon James Brokenshire MP, Secretary of State for Northern Ireland; Mr Robin Walker MP, Parliamentary Under-Secretary of State, Department for Exiting the European Union.

Examination of witnesses

Rt Hon James Brokenshire MP; Mr Robin Walker MP.

Q13 The Chairman: Good afternoon to James Brokenshire, Secretary of State. We welcome you to your new post as Northern Ireland Secretary. You have with you Robin Walker, who is Parliamentary Under-Secretary of State in the Department for Exiting the European Union. Clearly, James, you are familiar with this Committee, or its constituent parts, through your previous work at the Home Office on migration. We are particularly grateful to have your take on this. Robin, we know that you have a general interest in a department that is finding the way forward. I would like you to feel that this is a study that is directed towards dealing with this sensitive area of British-Irish relations in a constructive way and trying to explore some of the difficulties in a positive spirit.

I remind you that this is a public evidence session, which is broadcast. We will in due course send you a transcript. I will address my questions to you, Secretary of State, but if you feel that you want to bring in your colleague or if your colleague feels that he needs to be brought in at any stage, we will do that. We appreciate your time; we will make this as punchy as we can. You have just come back from Northern Ireland, I think.

Rt Hon James Brokenshire MP: Yes, I have. As you would imagine, I am there very regularly.

The Chairman: I know that. We are taking our Committee both to Northern Ireland and Dublin next week to have a look.

Rt Hon James Brokenshire MP: Perhaps, Lord Chairman, I can first very much welcome your inquiry in relation to the importance of UK-Ireland relationships. As you indicated, I have over the years in a different role been a regular attendee at your Sub-Committee on Justice and Home Affairs and it is good to see Baroness Prashar here in that regard.

Perhaps I may make some opening comments on what I think is a very strong relationship between the UK and Ireland. We obviously have a long historical relationship with each other, which I do not think has ever been stronger. I often refer to it as a unique relationship. It is important to note that our two economies are interconnected on both an east-west and north-south basis. Ireland is the largest export market for Northern Ireland and the fifth largest for the UK as a whole, so obviously that is significant. The relationship with Ireland is hugely important to the UK and we want to see it deepen and strengthen after we leave the EU. There have been important relationships at a number of different levels, not simply politically but also in terms of official-level contact and how that is maintained on a regular basis. That is something on which we

have worked together over many years and we want to see it continuing into the future.

We have been working closely with the Irish Government to support the political process for Northern Ireland. I recognise that, under the Belfast Agreement, the Northern Ireland Executive have an important direct north-south relationship with the Irish Government that complements the wider east-west relationship. We as a Government remain committed—I think it is important to stress this—to the Belfast Agreement and its successors and to making a success for Northern Ireland of the UK's exit from the EU. A key part of that, which I am sure we will be looking at in this evidence session, is the way in which we deal with the border. We had a common travel area between the UK and Ireland for many decades before either country was a member of the European Union. Indeed, several of the other partners in the common travel area are already not part of the EU—the Channel Islands and the Isle of Man. It is worth stressing that commitment on both sides. Certainly, I have had a number of exchanges with Irish Government Ministers and with the Taoiseach about this very strong shared will and objective to make a success of working together closely, so that we get the best outcome for Northern Ireland within the UK but outside the EU.

The Chairman: Thank you, Secretary of State. I think that the Committee will very much welcome what you have said. You will be aware that we have already taken evidence from Ambassador Dan Mulhall, who also spoke positively about the relationship. You referred to the border, which will obviously be an interest to our Committee. I made the point that it is 499 kilometres. If one is a student of Google Maps, one immediately realises some of the difficulties.

Rt Hon James Brokenshire MP: Equally, the Irish ambassador referred to the number of movements on a daily basis. He gave the figure of about 35,000 people crossing the border every day. Yes, it is right to focus on things such as goods and services and the movement of people, but it is also about the politics that lie behind this and the sense of identity, to which we are very sensitive as we look to the negotiations ahead.

Q14 **The Chairman:** That is really helpful. Let me kick off with the first scripted question. Mr Walker's Secretary of State, David Davis, has identified UK-Irish issues, and the impact on Northern Ireland of Brexit, as one of the more difficult elements of the negotiation. Could you summarise for us what you think the main difficulties are that need to be addressed?

Rt Hon James Brokenshire MP: I have already alluded to some of the issues that we have very much in our minds. We want to ensure that we do not see a return to what I have described as the borders of the past. The strength of the common travel area has served the UK and Ireland for many years, dating back to the Irish Free State in 1922. That is a core area of our focus, as well as other ancillary issues. I think that you may have got a sense of those from the joint letter issued by the First Minister

and deputy First Minister, such as the single electricity market on the island of Ireland and the continuity that that provides, as well as the support from and potential impacts on business in relation to it. A number of items are quite distinct and different in their significance and relevance to Northern Ireland and it is important that we understand those clearly, in working closely with the Executive and listening to the points and representations that they make, as well as in discussions with the Irish Government. We need to look at those special issues that reside in relation to Northern Ireland, which is why I think the Secretary of State for Exiting the EU made the comments that he did. It is interesting to note that his first official visit as Secretary of State was to Northern Ireland and his second official visit was to Dublin.

- Q15 **The Chairman:** Thank you. In the light of that, is it your view—I am prepared to say that it might be your interim view; I am not necessarily saying that you would wish to commit to it definitively—that it would be desirable to establish a specific bilateral UK-Irish deal, taking account of the uniqueness and, as you have said, the complexities of the UK-Irish relationship, not merely the peace process but also the electricity grid and so forth, as part of the Brexit negotiations? Do you see it being swept up in the Brexit deal or would there be a possibility of a discrete agreement over and above the agreement with the 27 but no doubt consistent with it?

Rt Hon James Brokenshire MP: Perhaps I might frame it in a slightly different way. Clearly we have a negotiation to come with the European Union. We are currently in the phase of assessing the evidence and establishing our negotiating position. But we are talking closely with the Irish Government. That is not about pre-opening negotiations in relation to Article 50; it is rather to identify areas where there is a common shared interest and where there may be items on which we would want to present a shared position moving forward into those negotiations. For example, both Governments have underlined clearly their desire to see the common travel area continuing into the future. I suppose that I would frame it in those terms, in relation to the approach that we are seeing now, but obviously we are preparing and considering carefully as we look towards the negotiations ahead at the EU level.

Mr Robin Walker MP: There is one thing that I will add to that, if I may. I joined the Secretary of State for my department when he went out to Dublin. Although I did not go with him on his first visit to Belfast, I was also in Belfast last week following up on some of those meetings. The Irish Foreign Minister, Charlie Flanagan, was very clear that part of his role as he sees it is to impress upon all the other member states the importance of the island of Ireland issues, if you like, and the British-Irish relationship, and to make sure that they take them into account. When we begin our bilateral engagement with all the other member states, we will want to press that home as well and make sure that there is a recognition at the European level among both the 27 and the institutions of the importance of addressing these issues. That is somewhere where we can be very complementary, and I think as the ambassador made

clear to you in his evidence, it is a real priority for the Government of the Republic of Ireland. Equally it needs to be a priority for us.

Q16 The Chairman: You have anticipated my following question by responding as you have. I suspect the basic point is that if you have the two interests in Ireland, if I may put it that way, singing from the same hymn sheet, that is more likely to be of interest to colleagues in the upcoming negotiations. Would that be the way you would summarise it?

Mr Robin Walker MP: Actually there are potentially more than two interests. As I was saying at a lot of my engagements last week, one of the more positive things is the fact that we actually have the Executive in Northern Ireland, the UK Government and the Government of the Republic of Ireland all identifying very similar issues that need to be addressed and all pushing in the same direction on them.

The Chairman: That is helpful. My final question is really about the machinery. In one sense the Secretary of State has already discussed the upfront side, as it were, of this in diplomacy terms. The Prime Minister, the Secretary of State and you yourselves have undertaken work in Belfast and Dublin. Going on from that, is there any flavour or anything you want to add on the issues that have been raised with you? Secondly, are the existing contacts Government to Government, UK and Irish, and between the Irish Government and the Northern Ireland Executive to do with Brexit, up to the task? No doubt this is to some extent a work in progress, but it would be helpful to have an assurance—given that you have started on a rather positive note, if I may put it that way—that the machinery for the three Executives and the interests of the people of the island of Ireland can be expressed and effectively rehearsed. Are all those mechanisms being developed?

Rt Hon James Brokenshire MP: Perhaps I could give you a sense of some of the structures that are in place.

The Chairman: That would be really helpful.

Rt Hon James Brokenshire MP: In essence you have the bilateral discussions and engagement between the UK Government and the Irish Government, and equally the bilateral discussions and engagements that we have on a number of different levels between the UK Government and the Executive—the regular meetings I have with the First Minister and the deputy First Minister, the meetings that have already taken place with the Prime Minister, with the Secretary of State for Exiting the EU, with the First and deputy First Ministers, and with other Ministers within the Executive as well. So you have that framework.

You then have work that the Executive are doing on sectoral analysis and therefore the representations and detailed points they are making to us, given that a number of elements will be devolved and therefore that they understand keenly why we want and need their input on these matters. So you have that structure. I have set up my own Business Advisory Group to assist me, and last week Robin attended a meeting of that

group looking at the agri-food sector. We are also doing a number of sectoral meetings to supplement and support the inputs that we are receiving from the Executive to ensure that we have the best information in order to understand not just the issues but also some of the themes and feelings on the ground. That is important to assist me in being a keen and positive advocate for Northern Ireland in my role as Secretary of State.

Then we have the architecture that stems from the Belfast Agreement with the North/South Ministerial Council and the British-Irish Council bringing together all of the devolved Administrations—Jersey, the Channel Islands and the Isle of Man and ourselves—in a formal structure. We have the Joint Ministerial Committee where the devolved Administrations have a formal mechanism of meeting with the UK Government. With all of these different mechanisms in their own way, as well as more informal official-to-official channels, there are a number of opportunities to ensure that we are engaging fully with, listening intently to and acting upon the information we are receiving to ensure that we get the best arrangements for Northern Ireland.

The Chairman: Thank you. I have a final minor point. Presumably you have not closed your minds to the possibility of either commissioning or at least listening to and receiving help from external bodies like academics and others who are practitioners in the field. I am thinking of Irish relations, for example. Certainly we have met some during our previous travels in Northern Ireland. They may be helpful to you.

Rt Hon James Brokenshire MP: I certainly remain open to receiving all evidence in relation to this, and indeed I am sure that the report of this Committee in due time will be valuable and helpful in seeking to inform the debate. I am sure that Robin, in terms of the Department for Exiting the EU, will take a similar stance.

Q17 **Baroness Kennedy of The Shaws:** When David Davis was before us he undertook to ensure that Northern Ireland's voice would be heard and that is echoed in what you and your colleague have been saying today. The contact you are making with all these different aspects of Northern Irish life is impressive, but as you know, when we talk about hearing Northern Ireland's voice, there are different voices in Northern Ireland. One has to be very alert to the fact that in the recent referendum most of the voters in Northern Ireland voted for Remain. The Northern Irish Catholic community in particular has taken great comfort from being part of the European Union. What can you say about the extent to which you are mindful of that difference, which was, if you like, part of the whole business of the peace process in Northern Ireland? Is one really hearing from all the communities?

Rt Hon James Brokenshire MP: Thank you. That is why I made the point about standing behind the Belfast Agreement and all of the agreements that have followed on from it. As Secretary of State, I think it is important that we continue to make progress in relation to issues coming from the Stormont House Agreement and the fresh start

agreements to underline again that I want to see continuing political momentum in the very positive way that we have seen over many years. It is worth noting that we are currently seeing the longest period of unbroken devolved government in Northern Ireland since the 1960s. It is important to set that context.

Obviously, the meetings that I am having with the Executive—that is, meetings with the First Minister representing the DUP and the Deputy First Minister representing Sinn Féin—therefore the Executive itself, given the nature of devolved Government in Northern Ireland, is representative of a number of different strands of the community. But it is something I am conscious of. From my own perspective I campaigned for Remain, but my clear view is that as Secretary of State, I have a strong objective and a strong responsibility that I feel very keenly to ensure that we make a success of the UK's departure from the EU, that Northern Ireland within the UK sees that success, and how it needs to be reflective of a number of different themes across the community.

Q18 Baroness Kennedy of The Shaws: That is why my next question picks up on that. I think that people in Northern Ireland and indeed across the whole of the United Kingdom want to know what the best deal for Northern Ireland would look like, particularly given its special history. What would a good deal for Northern Ireland look like? Is it too early to say?

Rt Hon James Brokenshire MP: Obviously we still have a number of decisions to take in relation to those negotiations. I suppose what I would point to again is the strong objective of seeing the maintenance of the common travel area, of not seeing those visible hard borders returning between Northern Ireland and the Republic of Ireland with all of the connotations we have seen from that in the past. That is a clearly stated objective of both the UK Government and the Irish Government. I would certainly point to that, as well as wanting to see the strongest ability for UK companies to trade with and operate within the single market. Those are two objectives that I would point to at the very high level, but obviously there is still a lot more work to do and a number of decisions to be taken.

Baroness Kennedy of The Shaws: You seem to be describing something that is bespoke for Northern Ireland. It reflects something that was said by the Irish Foreign Minister, Charlie Flanagan. He said that the Irish Government would seek legal recognition of the unique status of the North in the circumstances of the island in the Brexit negotiations. It sounds to me as though that is what you also imagine is going to have to be part of any ultimate deal.

Rt Hon James Brokenshire MP: I suppose that I would characterise it like this. We are seeking to achieve a UK-wide negotiation and therefore reflective of the issues and circumstances arising all around the United Kingdom. Northern Ireland obviously has some very specific issues that we have already alluded to in this evidence session. For example, the common travel area is recognised in the Treaty of Amsterdam within the

EU context. It is incumbent on us to underline to the EU in the negotiations the special circumstances being set out by the Taoiseach and the Irish Foreign Minister in a number of their existing meetings. Equally there is a recognition in the EU. Some of the feedback that we have already heard and seen is that there is a recognition that different circumstances exist in relation to Northern Ireland. Indeed, both politically and financially the EU itself has invested heavily into that political process.

Baroness Kennedy of The Shaws: Absolutely it has. Some elements of the Irish community must be worried that there is going to be a great shift in all of that.

Rt Hon James Brokenshire MP: I suppose I take an optimistic approach to this. I think that that was evident in the evidence I have read from the Irish ambassador. However, there is a strong sense of will on the part of the two Governments as to how we want to achieve the best objectives from this. There are areas of commonality that we are working together on very closely so that we achieve the positive future that I think we can achieve and I believe we will achieve.

The Chairman: If it were necessary in order to meet those objectives, you would not rule out the possibility of a bespoke arrangement, which would of course have to be negotiated.

Rt Hon James Brokenshire MP: As I say, it is important to stress that we are looking at a UK-wide negotiation. But within that, as I have alluded, there will be specific factors that are relevant to Northern Ireland because of the nature of having a land border with the Republic of Ireland and because of the issues around, for example, the single electricity market where we will be focused on getting the best outcome for Northern Ireland within the overall framework.

Q19 **Lord Whitty:** I am going to return to the issue of the border. None of us wants to return to the border as it was in the 1970s, but even before the Troubles there was a proper border in the 1950s even though it was a common travel area, because of customs and other checks. I can go back that far.

Both you and the Irish ambassador seem to be reasonably confident that we would be able to retain something like the current soft border, but logically, can that be true? If we are not in the customs area of the EU, which we may or may not be, surely we will have to have a strong customs presence on the border. More importantly, the Prime Minister has made it clear control of immigration trumps most other considerations in the Government's approach to these negotiations. There is a possibility of EU nationals and others both within the EU and outside using the Irish Republic as a soft way into Britain. That will be a major consideration. I saw in the papers this week that one deal might be that we have a British customs and passport presence in the Irish ports. It slightly surprised me that the sensitivity of the Irish political set-up would allow that, but it is a possibility. However, logically the border will have to

change to some degree. We cannot maintain the status quo if one part is outside the customs area and the other part has a different status of individuals as EU nationals—non-Irish EU nationals—at the crossing points.

Rt Hon James Brokenshire MP: It is probably more important for me to stress that we have made no decisions in relation to the customs union, as you know. We are assessing the evidence around all of that. We are part of the common travel area and indeed we have been working with the Irish Government over many months on how we can strengthen it. We have a shared objective in relation to that—regarding organised criminality, people who are crossing borders—and therefore within that CTA structure how we as two Governments work together to ensure that it is strengthened even further. Indeed I have a recollection that I may have given evidence at some point to Baroness Prashar's Committee when we touched on those themes when I was in my previous role. That is an important framework and basis upon which to approach this.

It is also worth recognising that we have different excise duties between Northern Ireland and the Republic of Ireland and that arrangements exist which allow for intelligence-led approaches to be taken to enforce them. There is the joint working that takes place between the PSNI and the Garda Síochána, as well as with HMRC. While we have made no decisions, I think that we look to some clearly established principles and clearly established foundations as well as a hugely strong will between the two Governments to find the right solution that does not lead to a return of the physical borders which touch on some of the political points raised by Baroness Kennedy in her question. That is why we are so focused on this and why, at all levels from the Prime Minister down, we have made statements about working together to ensure that we do not see a return to the previous border arrangements.

Lord Whitty: David Davis did suggest that the Swedish-Norwegian border was an analogy, but actually it is not a direct analogy because of Schengen.

Mr Robin Walker MP: Part of his argument was to say that there are technological solutions used on that border which could be valuable. In terms of freedom of movement of people, you are right, it is not a direct analogy. It was interesting to note the Irish ambassador's comments in his evidence to you about the importance of Ireland not necessarily planning to join Schengen and being happy to work with us on that basis. We recognise that there are challenges here for the Brexit process, and David recognised that in his evidence to you as well. However, we think that there is the strength of will and agreement between all the key parties to overcome them. If you think about it, there are very few areas—some would argue that there are too few—where we have set out clear red lines ahead of the negotiations. However, this is one of them. It is so important that we want to put it right up front because we recognise that a return to the hard borders of the past would not be an acceptable solution. It is something that we have been determined to put out there. The engagement will absolutely be there between my department, the

NIO, and the Republic of Ireland to make sure that we get to the right place on this.

The Chairman: Given that, as both of you have said, there is something of an identikit view on that between the two Governments and the Executive, there is not really an issue within the island or across the British Isles. Are you equally confident that the intensity of the need will commend itself to the other 26 member states you have to negotiate with? Will they get the point if a sufficiently coherent and convincing case is put to them?

Rt Hon James Brokenshire MP: The Irish ambassador pointed to this in some of his evidence. When he was asked, "Why aren't you in Schengen?" he explained and they recognised why there was this distinction and difference. Again, it comes back to the efforts that the EU has made in supporting the political process. There is a recognition of the distinct issues that arise in relation to the island of Ireland. Of course there is still a negotiation to come, but with the strength of will that we have and equally the recognition from the EU standpoint of the work that it has done over many years to support the political process, I remain optimistic that we will find a way through that does not lead to the harder, negative borders that we certainly do not want to see.

Q20 **Lord Jay of Ewelme:** I found that last exchange helpful and encouraging. What you are saying is that the objective is not to have a hard border and the question is how we ensure that we do not have one, because if we did it would be too dangerous for other reasons. On the question of how you get to that stage, to follow up the Lord Chairman's question, would we negotiate this with the other 27 during our negotiations or would the Irish negotiate it within the 27, when they were deciding on what their stance should be vis-à-vis us, or would it be both of those? Or is it too early to say?

Rt Hon James Brokenshire MP: I think it is probably too early to say. I am sure that a number of more technical discussions will need to take place in relation to this, which is why the Prime Minister made her comments about seeing how we may be able to have some of those technical discussions to ensure that the negotiations themselves are used effectively and in the best possible fashion. All I can point to is the discussions that are taking place at a number of different levels between the UK and the Irish Government in a preparatory sense and in the sense of the continuing work that we have been doing over quite an extensive period on the common travel area. Therefore, there is a good understanding of the technical and other issues that reside around this, with that strong sense of political purpose that underpins it all.

Mr Robin Walker MP: I refer you to the point that I made earlier. When we went to Dublin, one thing that the Irish Government were at pains to make clear was that they had been engaging bilaterally with the 27 to ensure that they all recognised the importance of these issues. As our bilateral process kicks off after the Article 50 process, it will certainly be a core part of our script to make sure that we are making that clear. I think

there will be that double-pronged approach to addressing these issues and making sure that they are on the agenda of all the discussions. It is important that that comes through in all the bilaterals, but also in the conversation between us and the EU institutions as and when that starts.

Lord Jay of Ewelme: Thank you for that. Perhaps I could go back to one of the points that Lord Whitty made about the reports in the *Guardian* about the possibility of almost transposing border controls to the perimeter of the island of Ireland in order not to have them between north and south. There has been a certain amount about that in the last day or so. Is that part of the negotiations and discussions that you are having with the Irish at the moment? Would Dover and Calais be a model for that as to how you would treat EU citizens, British and Irish citizens and third-country citizens coming across the border?

Rt Hon James Brokenshire MP: Inevitably in these circumstances, all sorts of speculation arises. In the quotes that I gave to the *Guardian*, I was clear on how we are working with the Irish Government to strengthen the common travel area and on the mutual benefit that we receive from it in terms of our ability to work together strongly to prevent people from entering the CTA. It provides mutual benefit to the UK and the Irish Government when confronting terrorism and organised criminality, and on a whole range of different themes that build on a solid platform of work that we have been doing with the Irish Government over many months. Indeed, in my previous role, I was having conversations with Frances Fitzgerald, the Justice Minister, about how we look at the common travel area and how we strengthen it—given that there is no indication that the Irish Government would come within Schengen, and therefore would be outside the Schengen area—and about how we look at the CTA as that strong mechanism that both Governments, for our mutual benefit, want for safety and security and that sort of passage across the border.

The Chairman: I suppose it would be fair to say in present pre-Brexit circumstances that it would be theoretically possible—indeed, it may have happened—for somebody to become radicalised in Dublin, whether or not as an Irish national resident in the Irish Republic, and then to come freely to Britain, so that any control to stop that would have to be a matter of intelligence.

Rt Hon James Brokenshire MP: That is why I make a point about the common travel area and our ability to work closely with the Irish Government on identifying passages of travel and how we use advance passenger information. There is also the work that we have previously done at an EU level on passenger name records. All that work is to our mutual benefit. I do not know whether this will come up elsewhere, but we see the strong need moving forward for the UK to have that close security partnership with the EU, recognising the shared benefits that we get on both sides by that shared connection. Again, something that the Prime Minister and the Secretary of State for Exiting the EU have underlined as a core part of the negotiations is securing that strong,

continuing relationship. While we may be leaving the EU, we are not leaving Europe and we are not leaving the work on strong security and confronting organised crime that in many ways we have been leading on for a number of years in the EU, because of the benefit that is seen in so many different aspects.

- Q21 **Lord Liddle:** What you have just said is reassuring; it is reassuring to hear about the strong working together of the British and Irish Governments in these areas. It is also the case that our EU partners have a track record of acknowledging the special circumstances of Northern Ireland and presumably we can build on that. Also, a lot depends on the political choices that the Government make for their renegotiation objectives. For example, you must accept, as Northern Ireland Secretary, that your task in ensuring good relations in Ireland would be a lot easier if we remained in the customs union. You must accept that, because it is obviously the case.

Rt Hon James Brokenshire MP: We are looking carefully at the relative merits and evidence in relation to the customs union and other aspects. Indeed, I have been having meetings with business and industry about the potential implications of that. It is very useful to get that feedback from the different sectors. Our most recent one was agri-foods, which is one of the most pertinent in relation to this. We are considering that aspect carefully in the light of a UK-wide negotiation. We are looking at that and then seeking to ensure that, having framed that UK-wide negotiation, we can get the best possible arrangements, working closely with the Irish Government, in terms of the practical implications of those decisions and what happens on the ground.

Lord Liddle: Let me just come back on that. I hope that the question of what is in Northern Ireland's best interests will play an important part when the Government frame their overall objectives. I hope that you will not just be taking an overall objective but will be looking at what is best for the peace and prosperity of the island of Ireland.

Perhaps I could make one other point. On negotiating objectives, surely it must be the case—and you must accept as Secretary of State that it is—that whether the potential abuse of people coming to the Republic and then coming to Britain to work, probably illegally, post-Brexit is a serious problem depends on whether the Government are technically establishing sovereignty over immigration or whether they have a serious intent to cut it to tens of thousands. If you have a serious intent to cut EU immigration to tens of thousands, you will get lots of Polish labourers trying to get on to British construction sites by flying to Dublin.

Rt Hon James Brokenshire MP: We are considering the whole issue of immigration carefully. The Prime Minister has equally been very clear that free movement as it has existed to date cannot continue into the future. That is one of the clear messages that came through from the referendum. Obviously that is work which the Home Office is leading and it is important to see it in that regard. We do remain focused on seeing net migration reduced to what I have always described as long-term

sustainable levels. We are not in that position at the moment, and here I refer to all the work that I had been doing in my previous role. It is important to see all of this in that macro sense. It is why we are looking at this as a UK-wide negotiation, but we are also conscious of the particular issues and circumstances that relate to particular parts of the UK. That is why I have made what I hope are the clear points that I have over issues such as the border.

- Q22 **The Chairman:** I think we might move on to aspects of the trading relationship rather than the people relationship. You did say some time ago that you have had consultations with various interests in Ireland about how this might work, covering all the possible solutions to the problems. Can you give us a thumbnail sketch of what the general feeling of those other parties was? Is there something they would like to have or, conversely, is there something that they would really like not to have?

While you reflect on that, we have a Division in the House. Perhaps we may suspend the session. Bearing in mind that this is a public evidence session, I am not going to expel the gallery while the Division takes place. I would like colleagues to reassemble within 10 minutes if they can.

The Committee suspended for a Division in the House.

The Chairman: We will now resume.

- Q23 **Baroness Browning:** Secretary of State, in September you attended the first meeting of the business advisory forum. Can you spell out for the Committee the purpose of that forum?

Rt Hon James Brokenshire MP: Thank you. I established the Business Advisory Group in September and the first meeting was attended by the Secretary of State for Exiting the EU on his first visit to Belfast. The purpose is to ensure that as Secretary of State I have good inputs and evidence from the business community on the issues that are generally on the mind of business across the whole of Northern Ireland. We have been following that up with a series of sectoral meetings which are ongoing. My colleague Lord Dunlop has been assisting and chairing a number of Business Advisory Group meetings with different sectors as well. I mentioned the meeting we held last week that focused on the agri-foods business, which Robin was also able to attend. I have further meetings that will be continuing in the weeks ahead.

To ensure that as Secretary of State I am able to be a strong advocate for Northern Ireland, I have a direct link to business in order to supplement the work that I know that the Executive are doing. Again, I have what I suppose is a two-way channel to be able to give some assurance on messages where we have made decisions over particular issues. An example would be some of the statements the Chancellor has made on EU funding. I can ensure that business people are hearing it directly and thus understand what is happening. Also, as I say, it is to make sure that we are getting good, direct inputs of information from the business community.

Q24 Baroness Browning: Thank you. Perhaps I may ask you about one of those sectors. Agribusiness is very important both north and south. Under existing EU law, there is a lot of legislation on the food supply chain and animal diseases. I suspect that several of us around this table have been responsible for quite a lot of it over the years. But nothing brings a sector to its knees more quickly than a disease outbreak in animals or a scare in the food supply chain. How do you see these things going forward? At the moment there is parity between north and south in terms of the regulations in the sector, but once Northern Ireland and the UK leave, are we going to make an effort to reflect EU law in this sector? Once you start to get a widening of the gap, I can see all sorts of problems developing if, for example, question marks are raised about the security of the food chain, the use of pesticides, animals not just with disease but with the potential for disease, being treated differently between the north and the south. Has any thought been given to how to minimise that risk?

Rt Hon James Brokenshire MP: I am grateful for that question. Some of the issues that you touch on have broader application to the whole of the UK, and obviously there is work that Robin and his department are taking forward alongside Defra on a number of them. At this stage we are very much in the analytical phase of taking evidence. For me as Secretary of State for Northern Ireland, I obviously recognise some of the cross-border implications of production that may start in Northern Ireland and conclude in the Republic of Ireland or vice versa. There are issues around country of origin. It is precisely because of all of these factors that we want to get inputs from industry—I am sure that Robin will equally attest to this from the session we held last week—and why I have set up the Business Advisory Group. It is to ensure that while there may be a number of specific issues on policy, there will be some nuance and specific circumstances that operate within Northern Ireland that may make something more important for Northern Ireland than it might be for the rest of the United Kingdom, and vice versa. Therefore, as we seek to establish and go into the UK-wide negotiation, we will do it consciously with the best evidence and understanding we can have before us in order to make informed decisions. That is precisely the purpose of the Business Advisory Group and of the different sectoral elements that I am seeking to take from it, so that I am in the best position to support DExEU and to support the work of other Government departments in framing the new policy and implementation, and obviously more generally being a strong advocate for Northern Ireland.

The Chairman: Following up on that and reminding the Committee that I have declared interests in agriculture in Great Britain but not in Northern Ireland, I would ask you to comment generally on whether you see your business advisory committee as being able to identify areas of specific difficulty in Northern Ireland, not necessarily agri-food—although I suspect from what has been said that it may be one of them—but other areas being brought to your attention.

The second point, which in a sense has an agricultural context, is the

question of currency movements. I appreciate that it is quite difficult to encapsulate a deal on having a special currency arrangement for Northern Ireland, for example, but there will be some real sensitivities if there is volatility in currency, indeed as there is now. I wonder whether you would like to comment on those two.

Rt Hon James Brokenshire MP: When it comes to currency issues, we have always lived in, or in modern times have lived in, an era where we have currencies that move around. Indeed, some of the anecdotal information we have received from some businesses in and around the border areas of Northern Ireland shows how they have seen a slight lift in trade as a consequence of currency fluctuations. As I say, that is anecdotal and I could not point to hard evidence, but it is interesting to hear about some of the subtlety of the reports that we pick up from the engagement that we have with witnesses more broadly.

Of course, we are looking at challenges but also at opportunities. It is important to stress that businesses are saying, "Yes, we would like to see this and that, but also we see real potential and new trade opportunities that we can harness". I see my role as that of helping to assist that connection as we form our policy. The Secretary of State for International Trade, Liam Fox, has already been to Northern Ireland and again underlined his sense of how he wants to understand and recognise the potential opportunities that we have in different parts of the United Kingdom, thus taking that step in parallel. Indeed, I have already been out to the US to underline very clearly to a number of US businesses that Northern Ireland remains open for business. What is notable is the increase in exports from Northern Ireland to the United States. They have gone up remarkably, by around 80% in the course of the past year. There are opportunities residing in some of those markets.

Q25 **Baroness Verma:** To follow on from that, Secretary of State, I want to look at the currency fluctuations and the possibility of inflation increases. In your consultations with businesses, are they encouraging you to have a greater interaction with the Bank of England and the Treasury in order to give them reassurances that while exporting might be very good, the other side of the rhetoric is about migration and immigration and keeping the numbers down while making trade deals between Northern Ireland with those economies? How is that discussion being balanced?

Rt Hon James Brokenshire MP: It is important to stress the sense of opportunity that we have here, but equally other issues are in play. We as a Government stand behind our commitment to devolve corporation tax to the Northern Ireland Executive if they demonstrate the relevant fiscal and budgetary robustness in their arrangements. Obviously they have plans to reduce corporation tax in Northern Ireland. I think that there are number of other elements. As I say, we stand committed to our obligations around all of that. I think that, yes, on a sectoral basis as well, hearing from them of the potential opportunities that they see from being outside the European Union, I see the Business Advisory Group helping to inform that, as well as in relation to the industrial strategy.

It is about all of these different facets. It is not about using it to have a dialogue and a discussion simply for the purposes of Brexit and EU negotiations. There is value at this time in hearing some of the clear messages as they emerge and we go through this process. It will not be static and issues will emerge. Having a mechanism where you are best able to pick up on some of those subtleties that may appear on the ground is for me very helpful. It also supplements the good work that the Executive themselves are already doing and therefore the information that they are giving to DExEU and the relationships they have with other government departments in the framing of policy. What was important, given the significance of the agri-food sector within the Northern Ireland economy, was the statement from the Chancellor about CAP and the continuance of the direct payment through until 2020, as well as the assurances that the Chancellor has also given on the infrastructure and structural funds. We have been able to underline all of that to business. Where we can give some certainty and assurance, obviously we will do so.

Q26 Earl of Kinnoull: Thank you. Quite a bit of what I was going to ask you about has been covered by Lord Liddle and Baroness Browning. You have talked about a sectoral analysis. Could you be a little more specific about which sectors give rise to causes for concern for you? On your list of areas you have mentioned the agri-sector, given that there is a tremendous amount of livestock trading back and forth across the border during the life of a particular animal. Are there other sectors of concern? I have in mind particularly the financial services sector.

The Chairman: Would it be helpful, Secretary of State, if you were to drop us a line after reflecting on that question?

Rt Hon James Brokenshire MP: Obviously we are having private meetings so that we are able to have open discussions within that framework. I should stress very firmly that it is not a case of looking at this just in terms of challenges but also of opportunities so that we have the successful, flourishing Northern Ireland that all of us in this Room would want to see. When looking at commodities for export and import, for example, HMRC has published some data on those which give a sense of the balance of the economy in Northern Ireland in terms of export opportunities as well as imports. If it is helpful to the Committee to provide some of that information to give context, we will be happy to do so.

Mr Robin Walker MP: If I may add one thing to that, as part of our broader engagement and the analysis we are carrying out at the moment we are engaging across different sectors not only of business but also of different parts of the economy and different parts of society. While I was over in Northern Ireland, for instance, the Secretary of State mentioned that Lord Dunlop has been taking a number of meetings, one of which I took jointly with him with the Northern Irish hospitality sector. I attended the very useful meeting of the Business Advisory Group with the agribusiness sector and I went to a largely farming-dominated business meeting. I also met with the Northern Irish voluntary sector. It is very

important that we do not consider this just within the economic sector and imports and exports; it is also about engaging across the board so that we can address the concerns. Some of the issues that Baroness Kennedy touched on in her question were raised very strongly with the voluntary sector as areas of its concern. We need to engage with those as well.

The Chairman: Can we go to Lord Teverson's question?

Q27 **Lord Teverson:** Secretary of State, coming back briefly to the border issue, I sort understand that we can probably get away without a hard border with a common travel area if we do not have a visa system between us and the rest of the EU, which hopefully we will never get to. Coming back to the customs union mentioned by Lord Whitty, I find it very difficult to see that. Human nature is such that where there is a border and there is a tariff difference between the two sides, there is opportunity. In Northern Ireland we have organised crime and former paramilitary groups. That is mainstream in terms of opportunities to make some money. I think that there are real dangers in that area. How does one tackle that?

Rt Hon James Brokenshire MP: Again, it probably would not be right for me to work on the basis of supposition.

Lord Teverson: I understand that. I am not trying to put you in the position of—

Rt Hon James Brokenshire MP: What I would point to is this. We have differences in excise duties and a huge amount of really good work is taking place cross-border. HMRC is working closely with the Garda Síochána and the Irish authorities and there is a really solid platform of co-operation that we will continue to develop and want to see strengthened come what may. It is right that I draw back from getting involved in questions of "What if this, that or the other?" We are assessing all the evidence and working closely with the Irish Government, and we will continue to do so as the process develops.

Lord Teverson: If I could stay on the economic side for a moment, which areas of the British economy do you feel the Irish Government are targeting—the remaining English-speaking part of the European Union apart from Malta?

Rt Hon James Brokenshire MP: I think that is a question probably best directed at the Irish Government. It is not for me to speculate on their behalf. My focus is on supporting business in Northern Ireland and taking the opportunities that are there. I point to things like the agri-food sector, which is very strong and successful and I am looking at some other elements such as chemicals and related products, machinery and transport equipment. All of these play an important part in the Northern Irish economy. I want to see those succeed and flourish and look at how they feed into our whole approach as a Government to competitiveness, working with the Northern Ireland Executive. We are charting a very

positive course for Northern Ireland and want to see it flourish and succeed within the UK but outside of the EU.

Lord Teverson: Perhaps I could ask the Minister this. Ireland is extremely good at foreign direct investment. It may be termed its USP.

Mr Robin Walker MP: What we have seen over the past few decades is that the Irish economy has become much more competitive, and relations between the UK and Ireland are better than they have ever been. When I went to Dublin we attended a dinner held by the British-Irish Chamber of Commerce. It involved some 500 people and there was an incredibly warm atmosphere of businesses doing business between the two countries. That organisation did not exist six years ago. It is extraordinary to think of the scale and success of the development of this relationship. I think that we can afford for Ireland to succeed and for the UK to succeed. Part of our objective in this negotiation is to make sure that the UK is as competitive and attractive for investment and doing business in the wider world as possible. We also want to make sure that we maintain really good relations with our neighbours. There are few relationships you could identify in the world which have improved on a bilateral basis as much as the British relationship with Ireland. I am wearing my BIPA tie. I am no longer a member of the Assembly because I am a Minister, but I joined the BIPA having served briefly as a PPS in Northern Ireland because I was fascinated by how this relationship was developing. I remember talking to some of the first members of that organisation who said that there has been a complete transformation in attitudes during the period over which BIPA has been meeting. That is something we have to build on. We have to recognise that yes, of course we all compete, but that does not mean we have to do it in an inimical way; we can do it in a friendly way. That is something our two countries have become extremely good at over the past few years.

Lord Teverson: I like that and I just hope that that fantastically improved relationship is not now the high water mark because of the different focus that will definitely arise between us as two separate nation states. I hope that it will not start to go down. I wish you every success.

Mr Robin Walker MP: That is something we all need to work on. It was good to see in the ambassador's evidence to you that the commitment is there on the Irish side.

The Chairman: It has been helpful to have those strong statements, and thank you. Let us return to a few more of the nuts and bolts.

Q28 **Baroness Prashar:** Mr Brokenshire, it is good to see you again. Congratulations on your new role as Secretary of State. We have talked a great deal about the common travel area. From what I have heard so far, there is the will to make it work in order to benefit from it. But we have never had a situation where one country is part of the EU and the other is not. What I would like to hear a little more about are the practical obstacles to your plans for making it work and how you intend to overcome them.

Rt Hon James Brokenshire MP: It is important to stress—that is why I made the point about Schengen—that the Republic of Ireland is not in Schengen. As shown in the evidence the ambassador gave to you, there is no intention and no likelihood or prospect of it joining Schengen. That framework of commonality of both the United Kingdom and the Republic of Ireland remaining outside Schengen is one of the fundamental building blocks that underpins where we are on the common travel area. I suppose it is about the continued work we will do, as I have indicated, on the CTA and on the external border of the common travel area. Very detailed work continues to take place between the UK and the Republic of Ireland, and the Republic is itself investing in and focusing on a number of the technological aspects. It is about a practical sense of how we continue with that work, thus embedding the political will with some of the operational issues.

Baroness Prashar: The issue that I am trying to pinpoint is the technology that you have mentioned. What are the technological issues and how are you going to overcome some of those obstacles?

Rt Hon James Brokenshire MP: As I have already indicated, we are still working with the Irish Government on a lot of the detail on this, hence the different engagements that have taken place thus far. That work continues. Obviously, it is preparatory in terms of triggering the Article 50 process itself. In fairness to the Committee, it would not be right for me to speculate on certain issues around this. What I can say is that detailed work, thought and engagement continues and has been going on for quite a considerable period. It is about how we look at the common travel area and how together we can work to strengthen it. I suppose it is about continuing to underline the special circumstances in relation to the island of Ireland. We go into the negotiation with the need to underline that on a continuing basis. I have highlighted that the ability of the UK and the Republic of Ireland to establish, maintain and operate the common travel area is embedded in the existing EU treaty, and therefore the principle and the concept are understood. It is important that we continue to reinforce that as we go into the negotiations, and it will remain a core part of the objective. When it comes to the engagement we have with EU partners, we should again underline those specific circumstances. I see it as a continuing important point, so as to ensure that they are protected and that we get the outcome we all want to see.

Baroness Prashar: Can you give a guarantee that the existing rights of Irish citizens living in the UK will be maintained post Brexit?

Rt Hon James Brokenshire MP: You are right to point to the specific circumstances, in particular the rights of citizens effectively to have those pre-existing rights; that is, rights for the people of Northern Ireland under the Belfast Agreement to identify as British, Irish or both and to claim citizenship accordingly. They are treated equally in the UK and Northern Ireland irrespective of their choice. In addition, non-Northern Irish citizens living in the UK are not treated as foreigners by virtue of the

Ireland Act 1949. That is why I said that we stand behind our commitments under the Belfast Agreement, which is where a lot of this comes from. We have strong ties between the UK and Ireland that predate the EU and we remain fully committed to our obligations under the Belfast Agreement. We have no reason to suppose that the UK's exit need affect them.

Baroness Prashar: That is a guarantee.

Rt Hon James Brokenshire MP: It is the approach we are absolutely taking. We are standing behind the Belfast Agreement in relation to the rights that have existed up until now. It is very much the approach that we are taking into the negotiations.

Q29 **Baroness Armstrong of Hill Top:** My experience in Government was that the peace process was not something that was signed, sealed and delivered—it had to be worked on daily, not just by the Secretary of State for Northern Ireland but by the whole of government and indeed by No. 10. There is anxiety about upholding the Belfast Agreement, particularly the aspect that both Governments, having EU membership in common, were the co-guarantors. That is clearly not going to be the position, so changes will be coming whether we like it or not. What practical steps are the Government proposing to take to ensure that the Good Friday agreement and the peace process as a whole are not undermined by anxieties about the negotiations for Brexit?

Rt Hon James Brokenshire MP: I think it is right to underline that the UK and Irish Governments were co-signatories of the Belfast Agreement. I and the Prime Minister have equally underlined that we stand by our commitments under the agreement, and in our judgment the EU referendum does not change that at all. You are right about having to continue to work at the political process. It was important to make the point I did about marking the duration of the devolved Administration. Indeed, in terms of the politics of Northern Ireland, we are now seeing a formal opposition emerging to hold the Executive to account. We can see a further maturing of the political environment in Northern Ireland, which I warmly welcome. But it goes back to the continuing progress on a number of different elements of the political settlement.

I have made a number of comments about confronting paramilitarism. The Irish Government and the UK Government signed a treaty to establish a new commission to galvanise and support the Executive in work to confront paramilitarism. We are continuing to work on the legacy issues and the issues of the past, which again I have underlined as a priority for me. It is not saying that because a vote has been taken, somehow all that work stops; it does not. The work absolutely will continue. I see that as one of the key roles I have as Secretary of State, working alongside colleagues across government so that we are able to maintain the positive momentum we have seen. Again, the structures of the North/South Ministerial Council and the British-Irish Council, as well as political stability in Northern Ireland, remain solid. The majority of people in Northern Ireland absolutely support the political settlement and

it is important to underline that, and again it is something we need to continue to work on. The point you have made about being focused on the continuing work is one that I take very much to heart. That is why we are taking steps so that we do not just stand behind the Belfast Agreement, but follow through on the continued progress in relation to the outcomes of subsequent agreements as well.

Baroness Armstrong of Hill Top: The nationalists, or at least representatives of the nationalist community, have particular concerns given their historic relationship to and identity with the Republic. They are worried about how they will be in a sense represented and negotiated through the Brexit period. It is going to go on, whether we like it or not, for many months. What proposals do you have to maintain political stability given those particular anxieties?

Rt Hon James Brokenshire MP: That is where the structure of the Belfast Agreement, with the three-strand approach, is a really important framework. It is why we have structures and institutions to underpin it. A particularly important role for me as Secretary of State is getting out across Northern Ireland, which is what I have been doing, to engage at different levels with the community and business as well as with political representatives across Northern Ireland to underline our commitment to the Belfast Agreement and the subsequent agreements. It is something that we will need to continue to do. I am very conscious of that, but equally there is a real opportunity for all the communities to come together and say, "The decision has been taken across the UK for the UK including Northern Ireland to leave, so how as Northern Ireland do we come together?" We look at the challenges but also at the opportunities to make a success of Northern Ireland within the UK but outside of the EU, while still being sensitive to and reflective of the Belfast Agreement and the subsequent agreements. That is the environment I want and seek to achieve. I know that a number of communities are concerned and have been unsettled, so we as the UK Government need to give these assurances and to continue to work on them.

Baroness Armstrong of Hill Top: Some groups have talked about a referendum on reunification, or at least a movement of Northern Ireland from the UK.

Rt Hon James Brokenshire MP: As you know, Baroness Armstrong, the Belfast Agreement is very clear. I stand foursquare behind the fundamental principle of consent that operates there. If I judge that the majority view is for a united Ireland, as you know, I am obliged to call a border poll. But I am satisfied that there is no evidence to suggest that those circumstances exist. Indeed, recent polling has again underpinned the strong support for the existing political settlement. We will continue to provide a sense of assurance and keep up the momentum that we have seen and will want to see in the future.

The Chairman: Thank you. We will close with three slightly more technical questions, or narrow questions.

Q30 Lord Selkirk of Douglas: I will split the question into two as it is quite technical. The Secretary of State and the Under-Secretary of State will of course be well aware of the Treasury's guarantees in respect of structural and investment fund projects, as well as research and innovation projects. Does this extend to the cohesion policy, PEACE IV and INTERREG funding in relation to Northern Ireland?

Rt Hon James Brokenshire MP: Yes.

Lord Selkirk of Douglas: As well as that, will the Government continue to support cross-border infrastructure projects including the A5 Western Corridor, the Ulster Canal, the Narrow Water Bridge and the north-west gateway initiative? I think that that is enough for one question.

Rt Hon James Brokenshire MP: I interjected with a "yes" in order to give an assurance that the Treasury's guarantees in relation to structural investment fund projects do cover the PEACE IV and INTERREG funding lines. Therefore, the programmes which are entered into prior to the departure of the UK from the EU are being guaranteed as per the Chancellor's statement.

On the specific projects and programmes that you have referenced, those are likely to be for the devolved Government. In essence, decisions on which particular infrastructure projects are to be supported, or indeed other projects that may come forward, are absolutely for the Executive to determine rather than for me as Secretary of State. But I note the particular projects and programmes you have referenced. If there is any further information I am able to share with the Committee on those, I will consult with officials.

Mr Robin Walker MP: There is one thing I would add to that. One of my first meetings last week was with the Infrastructure Minister at the Northern Ireland Executive. The issue of infrastructure investment came up during that meeting. While not going into the detail of the individual projects, I was able to say to him that, first, the UK Government are looking at infrastructure and consider it to be very important going forward. Secondly, he asked about access to the TEN-T networks and funding for that sector. We have had a response from the Treasury saying that it will underwrite the payments of any awards won by UK organisations which bid directly to the EU for competitive funding. That will be ongoing, which I think provides an important reassurance on the point about infrastructure more broadly.

Lord Selkirk of Douglas: Thank you for those encouraging replies. Do you accept that EU funding has had a positive and transformational effect on the border regions on both sides of the border? What is your assessment of the overall impact on those regions of the loss of EU funding after the UK leaves the EU? Will the Treasury guarantees more or less fill the gap?

Rt Hon James Brokenshire MP: As we have said, the Treasury will guarantee those programmes under the European Territorial Co-operation

programmes which cover PEACE IV and INTERREG. Over the six-year period 2014 to 2020, those programmes have support to the value of around €469 million. We are considering very carefully the position post the UK's departure. That is an assessment being made by the Treasury and we have formed no judgments in relation to it thus far. Obviously, the guarantees in my answer that I have referenced thus far give a sense of the programmes that have been entered into prior to the UK's departure from the European Union, and we will be giving very careful consideration to the next steps in the same way that we are considering carefully a number of different funding lines and programmes after the UK's departure. That parallel workstream will need to continue in the months ahead on the position post the UK's departure, and it is why we have taken this sequenced approach to how we are analysing the various funding streams. The Chancellor has given an assurance of the position up to the Autumn Statement, and now the position from the Autumn Statement to the UK's departure. Obviously, the next phase will be the UK's position post the departure. But that is very much analysis and work in progress.

Q31 Baroness Falkner of Margravine: I want to take you back a little into your previous role in asking this question. We have seen media reports about the establishment of a rapid armed police unit which will involve considerable co-operation with European partners if it is to be successful. We will also have EUROPOL's new powers, which are to come into effect next May. We do not know yet whether Britain will opt in, but it will probably not opt in because of the European Parliament's scrutiny powers over EUROPOL at that point. I wonder whether you would comment on the nature of the police and security co-operation that you envisage and whether you are thinking of mitigating the effects on the extremely close networks that we have relied on and made, as you yourself have said, a huge contribution to. How will we mitigate the effects of Brexit in these areas?

Rt Hon James Brokenshire MP: It is worth underlining the co-operation between the PSNI, An Garda Síochána and other partners on the crime and security agenda, which I would characterise as being the strongest it has ever been. There are really solid relationships between the various different institutions. To take a step back, I would say that we have solid relationships both operationally and from a policy perspective with officials as well as politically. We are determined to maintain them and it matters for the Republic of Ireland and the United Kingdom to see them continuing into the future. That is because in an ever-more interconnected world, we need to remain close to our friends and allies—

Baroness Falkner of Margravine: Will we continue to be a part of EUROPOL?

Rt Hon James Brokenshire MP: —which is something I have sought over many years to advance. Those on the EU Sub-Committee will know that from the evidence I have given over many years. I have described some of the benefits we have seen from that. The maintenance of those relationships in a changed environment is something that we as a

Government are considering carefully. We can point to some systems as well as some broader relationships on co-operation. It is precisely that analysis that DExEU has been working on with the Home Office and other partners, and we have the input of the PSNI in relation to Northern Ireland. We recognise the strong co-operation and co-ordination in this area and how we will be able to maintain that approach into the future. It is something that is being considered carefully on a number of different levels across government. It goes beyond the Northern Ireland-Republic of Ireland relationship to a broader EU standpoint. That is why both the Secretary of State and the Prime Minister have underlined this important part of the negotiations to come. It is a priority for us in terms of how we retain the benefits of these systems, processes, procedures and structures in a changed environment.

Equally, there is a mutual benefit to both sides here. That is why in a pragmatic sense I am again optimistic, but the negotiation is still to come. The fact is that the benefits accrue on both sides of that connection. Our ability to share information and intelligence, and perhaps good co-ordination on joint investigation teams by our police forces, matters and will continue to matter into the future. But we are at the analytical stage and then we will head into the negotiations to come. Equally, we recognise the benefits that we have and will continue to accrue.

Lord Teverson: I may well be out of date, Secretary of State, but I remember—before you used to address justice and home affairs—that as a member state but not in Schengen, we still did not get access to the whole of the Schengen system’s information on criminality. I do not know whether that was ever solved, but if you like it shows a mindset, does it not?

Rt Hon James Brokenshire MP: I was instrumental in the work on the UK joining what is known as the second generation of the Schengen information system, SIS II, which went live last April, and therefore we are party to that. The number of different interconnected elements to it is something we are conscious of. It is precisely that analysis that the Home Office, along with others like the Ministry of Justice and DExEU, are undertaking as we go into the negotiation. We recognise the systems, structures and operations we use that give us the ability to exchange information and are looking at how they can continue to operate post-EU departure.

Lord Teverson: Can I ask this as a factual point? Do we have the same access to SIS II as a Schengen member state?

Rt Hon James Brokenshire MP: Yes, as far as I am aware.

Lord Teverson: That is a very good answer.

Rt Hon James Brokenshire MP: The SIS II platform is something where you are able to share data on a whole range of different things,

from missing children to other information from the criminality perspective.

Lord Teverson: I am well reassured, Secretary of State. Thank you.

Q32 **Baroness Wilcox:** This is the final question. The Irish Government in their contingency plan published immediately after the referendum, as you know, identify three key issues: the implications for social welfare provision, the Irish energy market and cross-border health services. Can you share your thoughts at this stage on the implications of Brexit in each of those policy areas?

Rt Hon James Brokenshire MP: I have already touched on the single electricity market. One of the visits that David Davis and I conducted when he and I were in Northern Ireland was to the system operators in Northern Ireland, SONI. We saw a presentation on the north-south interconnector that they are proposing, showing how it operates in relation to the market. That is something we are conscious of. I think there are other issues where perhaps the nature of the operations is in a sense practical. An example within the health service is co-operation between hospitals in Northern Ireland and the Republic of Ireland, the recognition of professional qualifications and specialist services. Again, it is a matter of understanding that those are more in the devolved arena and therefore the Executive's perspective on these themes underpins or underlines what we will need to be cognisant of in the negotiation ahead. There are practical issues that arise in relation to the island of Ireland.

Baroness Wilcox: Excuse me, but I do not want to keep you for too long. You are talking about what happens now, but the question is not about that. The question is what is going to happen with Brexit, when we have moved.

Rt Hon James Brokenshire MP: You are taking me to a position where we have not actually triggered the Article 50 process as yet. We have not had the negotiations. What we want to achieve is the best possible outcome for Northern Ireland by recognising all of the different elements that fit within that. That is why I am engaging as I am and why the inputs from the Executive on some of these devolved matters are really important. However, there is a cross-border element to them where there may be certain shared arrangements. We want to be able to be representative in that negotiation from a UK-wide perspective, being conscious of the specific issues that relate to Northern Ireland in order to get the best outcome for Northern Ireland. That is why we are conscious of a number of these different things. We are conscious of the input that the Executive are continuing to provide and how that informs and fits into the negotiations we will need to have with our current EU partners to secure the bright and prosperous future for Northern Ireland that I want to achieve, the Government want to achieve, and I am sure everyone on the Committee wants to achieve.

Baroness Wilcox: Thank you. Some of us are going to Northern Ireland this weekend. Having listened to you in this meeting, I feel very much

better equipped than I would have done.

Rt Hon James Brokenshire MP: I hope you have a fantastic visit because Northern Ireland is a wonderful place. There is plenty to see and do, so make sure that you get to visit to some of the tourist attractions as well.

The Chairman: That has always been my experience and I suspect it is that of many of my colleagues as well. Thank you very much, Secretary of State, for ending on a positive note. We would like to record our gratitude to you and to your colleague from DExEU for throwing light on a lot of difficult issues which have not been resolved, but at least if I may say appear to have been perceived by your department. That is really encouraging, and I suspect that we will continue to have a rather close dialogue on these issues. We will be attending to and reporting on them in due course. We are always anxious to share views and perspectives with you. We look forward to your responses to those issues which you have elected to write to us on. I conclude by saying that this has been a positive afternoon and we appreciate that. I close the formal evidence session.