

European Scrutiny Committee

House of Commons, London, SW1A 0AA

Tel (020) 7219 3292 Email escom@parliament.uk Website www.parliament.uk/escom

From: Sir William Cash MP

25 May 2022

Rt Hon. Damian Hinds MP
Minister for Security and Borders
Home Office
2 Marsham Street
London SW1P 4DF

Changes to cross-border police cooperation in the EU: implications for the UK

Thank you for your letter of 29th April 2022 concerning proposed changes to cross-border police cooperation in the EU and their implications for the UK.

You recognise that the changes proposed by the European Commission in its Prüm II Regulation are “substantive in nature” and that, if agreed by the Council and European Parliament, the EU may wish to revisit the provisions in Title II of Part Three of the EU/UK Trade and Cooperation Agreement which have enabled the UK to continue to participate in Prüm DNA and fingerprint exchanges since leaving the EU. **We seek a clear assurance that you will inform us promptly if the EU notifies the UK that it considers formal amendment of the TCA to be necessary to reflect any changes provided for in the Prüm II Regulation. As a failure to agree to any changes requested by the EU could lead to a suspension of Prüm cooperation, it is essential that Parliament has time to consider them carefully and come to its own view on their merits.**

We are disappointed that you do not provide any information on the evaluation recently carried out by the EU to verify the UK’s compliance with the existing rules governing exchanges of DNA profiles and fingerprint data. We note that the European Commission published a proposal for a Decision in early April which, if adopted by the EU Council, would ensure that these exchanges can continue beyond the end of June 2022 deadline envisaged in Article 540 of the TCA. **We ask you to inform us promptly when the Council adopts the Decision or to explain any delays (and their consequences for the UK) if it fails to do so in time.**

Finally, you indicate that the Government is discussing with the EU and its Member States joint initiatives and enhanced cooperation arrangements to tackle irregular migration and prevent or deter small boat crossings in the Channel. **We would welcome further information on the type of joint initiatives and cooperation arrangements you envisage, the progress being made in these discussions, and the tangible outcomes you are expecting to achieve. We also ask you to respond to the question in our earlier letter which asked specifically whether the UK Government had asked the EU to take additional measures to discourage small boat crossings and how the EU has responded.**

I am copying this letter to the Chair (Rt Hon Dame Diana Johnson MP) and Clerk (David Weir) of the Home Affairs Committee; the Chair (Sir Robert Neill MP) and Clerk (Robert Cope) of the Justice Committee; the Chair (the Earl of Kinnoull) and Clerk (Nick Boorer) of the Lords European Affairs Committee; Andrew Englefield of your Department; and Les Saunders and Donald Harris in the Cabinet Office.

CHAIR