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Sir William Cash MP
Chair, European Scrutiny Committee
House of Commons
London
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25 July 2022

Dear Bill,

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

Thank you for your letter dated 25 May.

Ex-ante Prüm evaluation outcome

You ask for an update in respect of the UK securing the requisite Council Decision allowing for our continued participation in Prüm data exchange with the EU.

I apologise for the delay in writing to you, but I am pleased to confirm that the EU evaluation procedures have been successfully concluded and the on 17 June the Council adopted its Decision to allow Member States to continue to supply biometric and personal data to the UK. On 28 June, this Decision was published in the Official Journal of the EU (attached).

This is welcome news as it ensures we retain access to a vital biometric data-sharing capability which provides UK law-enforcement with significant intelligence to support live criminal investigations so we can continue to protect UK citizens and keep our borders safe from emerging threats linked to international criminality.

In the meantime, we have been accelerating the expansion of our DNA and fingerprint exchanges with the remaining EU Member States. In terms of recent progress, notably on our fingerprint exchanges, we are pleased to have successfully connected to Belgium and Austria in May of this year, building on our existing connection with Germany. For DNA, we recently connected with Lithuania, which means we are now live with fourteen Member States, which represents approximately 90% of the EU's overall DNA holdings.

Cross-border information exchange: changes to 'Prüm'

You also ask for assurance that I will inform you if the EU notifies the UK that it considers a formal amendment of the TCA to be necessary to reflect any agreed legislative changes in respect of next-generation Prüm.

I will indeed write to let you know when the EU provides such a notification and will ensure that we meet the scrutiny commitments due to be agreed between the Committee and Ministers for Foreign, Commonwealth and Development Affairs in the coming weeks.

Further to my previous correspondence, we have now been advised by the European Commission that the Prüm next generation proposals are unlikely to be adopted before spring 2023 at the earliest. Whilst the Council has reached a general approach on the draft text, we understand the European Parliament has yet to commence its consideration and therefore trilogues are not expected to start until the end of this year. Those can take some months.

EU/UK cooperation arrangements

You asked in January if the UK has asked the EU to take additional measures to discourage crossings across the Channel, and subsequently asked for information on joint initiatives and cooperation arrangements the UK envisages with the EU. UK law enforcement agencies are working with European partners in the region, as enabled by the UK-EU Trade & Cooperation Agreement and our existing bilateral arrangements. Under the UK-France bilateral arrangement of 20 July 2021, a series of measures were agreed to address this issue as set out in our joint statement here: [UK-France joint statement: next phase of collaboration on tackling illegal migration – 20 July 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/press-releases/2021/07/20-uk-france-joint-statement-next-phase-of-collaboration-on-tackling-illegal-migration).

Our joint cooperation with France prevented more than 23,000 crossings in 2021 and so far in 2022, over 8,000 people have been prevented from crossing – more than twice the number to this point in 2021. The UK and Belgium are also in the process of negotiating a law enforcement cooperation agreement. The envisaged increased information sharing and partnership working will help to further reduce the number of people making these dangerous journeys, prevent the loss of life across the Channel and dismantle more criminal gangs.

As the Prime Minister made clear in his speech on 14 April, the Government also seeks to secure effective readmissions arrangements with the EU; these will be a critical deterrent designed to disrupt the business model of smugglers. We are keen to return to discussions with the EU on cooperation on illegal migration once we move beyond immediate Ukraine crisis responses.

I am copying this letter to the Chair (Tim Loughton MP) and Clerk (Elizabeth) of the Home Affairs Committee; the Chair (Sir Robert Neill MP) and Clerk (David Weir) of the Justice Committee; and the Chair (the Earl of Kinnoull) and Clerk (Nick Boorer) of the Lords European Union Committee; George Wilson, Clerk to your Committee; Andrew Englefield (Home Office Deputy Parliamentary Clerk); and Les Saunders in the FCDO.



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