



HOUSE OF LORDS

European Union Committee

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Rt Hon Brandon Lewis MP
Minister of State for Security and
Deputy for EU Exit and No Deal Preparation
Home Office
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23 January 2020

Media reports concerning the European Criminal Records Information System and the Schengen Information System

Dear Minister,

As you will be aware, the Members of both the EU Home Affairs Sub-Committee and EU Justice Sub-Committee have over the years taken a keen interest in the scrutiny of these important areas of EU cooperation.

I am therefore writing to you in my capacity as Chair of the EU Home Affairs Sub-Committee about recent reports in the Guardian newspaper relating to the European Criminal Records Information System (ECRIS) and the Schengen Information System (SIS).

The report on ECRIS¹ highlighted failures by the UK over several years to share thousands of criminal records with our EU partners. If true, this would have constituted a breach of our existing data sharing arrangements. The report also alleged that Home Office officials sought to conceal this failure from entering the public domain because of the potential reputational harm such a disclosure could cause.

The article about SIS² made reference to a 'leaked EU report' that revealed 'deliberate violations and abuse' by the UK of that system, including 'unlawful' copying of parts of the database. A recent report by the EU Home Affairs Committee also referred to this issue.³

The Committee views these reports with the utmost concern. If they are partially or wholly accurate they could have a significant, negative impact on our current and future cooperation with our European partners in matters of security and data sharing.

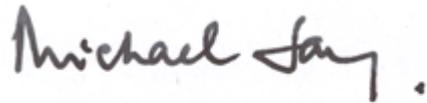
¹ <https://www.theguardian.com/uk-news/2020/jan/14/revealed-uk-concealed-failure-to-alert-eu-over-75000-criminal-convictions>

² <https://www.theguardian.com/world/2020/jan/09/uk-accused-of-behaving-like-cowboys-over-eu-database-copying>

³ <https://publications.parliament.uk/pa/ld201719/ldselect/ldEUcom/164/164.pdf>

The ECRIS matter has already been raised by some of my colleagues on the floor of the House last week, but a full explanation of what has occurred was not available from the government. I therefore ask that you provide both the EU Home Affairs and Justice Sub-Committees with a full explanation of precisely what has happened to cause the problems highlighted by the Guardian and a detailed summary of how the government is responding to the issues raised. I would be grateful for a reply within 10 working days.

Yours sincerely,

A handwritten signature in dark ink that reads "Michael Jay". The signature is written in a cursive style with a period at the end.

Lord Jay of Ewelme

Chairman of the EU Home Affairs Sub-Committee