



Home Office

Rt Hon James Brokenshire MP  
Minister of State for Security

2 Marsham Street, London  
SW1P 4DF  
[www.gov.uk/home-office](http://www.gov.uk/home-office)

Rt Hon Yvette Cooper  
MP  
Chair, Home Affairs  
Committee  
House of Commons  
London  
SW1A 0AA

By email only.

31 December 2020

Dear Chair,

**National Audit Office report into Digital Services at the Border (HC 1069)**

Thank you for your letter of 16 December concerning references to the second-generation Schengen Information System (SIS II) in the National Audit Office (NAO) report into Digital Services at the Border (DSAB), published 9 December.

From the outset, I should make it clear that loss of SIS II data would have no direct impact on the functional effectiveness of DSAB or on the programme delivery. We have been contingency planning across domestic infrastructure to ensure we are able to safely disconnect from the central SIS system.

There will be no requirement on the DSAB programme for any redesign to make use of data from Interpol and all necessary access capabilities are already in place. There are no immediate plans for the programme to integrate with other possible data sources although, as you would expect, this will continue to be subject to review.

The NAO reported *“that a decision to remove SIS II data from all programmes was made in May 2020”* and you asked for further details on the basis and timing of the decision.

The Home Office convenes a Board responsible for responding to the recommendations arising from the EU Commission’s evaluation of implementation of SIS II in the UK (SchEval). During negotiations, the Commission had stated its view that it was not legally possible for a non-Schengen third country to cooperate through SIS II, and that a future agreement between the UK and the EU need not provide similar capabilities. Given the specific uncertainty this generated around the potential for future cooperation on the SIS II capability, and as taxpayers would expect, we paused additional investment in system improvements. This included the development work to build the interface with DSAB. We were always clear, however, that this approach would be further informed by the progress and outcome of the negotiations.

You asked what steps had been taken to draw this attention to Parliamentarians and other stakeholders.

In his letter of 7 August to the European Scrutiny Committee, which was copied to the Home Affairs Committee, the Minister of State for Security advised that *“given the ongoing uncertainty surrounding future cooperation on the SIS II capability, the Government’s focus has been to seek to resolve (partially or fully) as many of the [SchEval] recommendations as possible without additional investment”*. The Security Minister was clear that this did not imply we were not actively seeking agreement on SIS II and in the same letter he provided reassurance that the Home Office was *“well placed to accelerate delivery of the principal technical platform if cooperation on the SIS II capability forms part of the UK-EU future relationship”*. This remains the case.

The responsible Board had representation from across the Home Office and law enforcement community. Other relevant stakeholders would have been aware through that forum and indeed were involved in the decision.

You asked as to what estimate the department has made of the overall proportion of currently available law enforcement data that would be removed from UK systems on 31 December and for details on work to ensure it is immediately replaced.

At the end of the Transition Period, and in the absence of an agreement on SIS II, there will be no lawful basis for us to retain SIS II data nor for our data to be retained by EU partners. It is real time data and, as such, it would quickly become out-of-date and lose its operational value. The deletion of SIS II data from UK domestic systems entails a complex exercise across multiple datasets. In excess of 90 million pieces of data would need to be deleted, covering nominals, documents and objects. A tiny fraction, less than 1%, of SIS II records relate to persons of law enforcement interest. Much of the information currently contained in SIS II will be available from other sources (e.g. the real-time access facilitated by DSAB to the 89 million documents on Interpol's Stolen and Lost Travel Document database) but there is no proportional breakdown available. More importantly, it is impossible to make any assessment as to the operational value of deleted information.

This last point is central to your question about a possible increase in vulnerability when we no longer have access to SIS II data. In the absence of SIS II, although we recognise that there will be a mutual loss of capability, we can be confident that Interpol will provide a tried and tested mechanism for exchanging alert information. Interpol was the primary means by which the UK exchanged warnings alerts with EU Member States as recently as 2015. It remains the primary means by which EU Member States share information with partners who do not have access to SIS II.

We are committed to making our use of Interpol channels as effective as possible. All Interpol circulations received by the UK are now routinely made available at the front-line for police and border officers. There has been extensive engagement, moreover, with EU Member States on their ability to use Interpol channels. We will also continue to make good use of bilateral channels and other multilateral mechanisms outside EU structures, including for counter terrorism cooperation.

I also want to take this opportunity to get the use of SIS II into perspective. Every time a UK law enforcement officer checks policing or border systems it counts as a check against SIS II which, as you know in 2019 was in the region of 570 million times. All the checks made are automated and routine. The same applies now to Interpol data. Every time a check is made on policing and border systems, a check against data circulated via Interpol is undertaken.

In short, while recognising the capability loss that would follow loss of access to SIS II, our assessment is that the UK was a safe country before joining SIS II in 2015 and we will continue to be one of the safest countries in the world.

I hope that this addresses the concerns of the Committee as set out in your letter.

Yours sincerely,  


**Rt Hon James Brokenshire MP**