



The Right Hon. Baroness Chapman of Darlington
Minister of State
Foreign, Commonwealth & Development Office
King Charles Street
London SW1A 2AH

cc. The Right Hon Yvette Cooper, Home Secretary

14 August 2025

Dear Jenny,

Thank you for your letter dated 6 August about the Hillmore Treaty between the UK and France for the prevention of small boat crossings, notifying the Committee that the Government was expediting its ratification under section 22 of the Constitutional Reform and Governance Act 2010 (CRAG). We also received a letter from the Home Secretary of the same date. I have some questions to which I would appreciate a prompt response so I can place them before the Committee.

The use of section 22 of CRAG to expedite the ratification of a treaty is only used in exceptional circumstances. Given the importance of the subject matter of this Treaty and the high public interest in it, I would like to ask (1) when the internal decision was taken to use section 22 in relation to this agreement, bearing in mind that it was struck on 10 July; and (2) whether the Government considered notifying the Committee in advance of its intention to do so, if necessarily in confidence.

We appreciate the urgency and reasons for expediting ratification, but the Committee would have welcomed being informed of the potential use of section 22. Laying the treaty during parliamentary recess curtails the opportunity to scrutinise the agreement, and therefore earlier notification of the Government's intention to expedite ratification before the beginning of summer recess would have enabled the Committee to ask important questions to the Government before the Treaty came into force.

I would also like to ask whether the Government considered provisional application of the Treaty, as this option would have enabled the scheme to start immediately whilst providing Parliament the opportunity to fulfil its scrutiny obligations under CRAG.

On a related point, the UK-France Leaders Declaration published on 10 July stated:

The agreement will be finalised and signed subject to completing prior legal scrutiny in full transparency and understanding with the Commission and EU Member states as this initiative is related to an EU external border, and implemented within a few weeks, subject to the above

processes, with real-time monitoring.

In the interest of transparency, I would appreciate further explanation of this statement, as it implies that EU scrutiny has been prioritised over UK parliamentary scrutiny.

Finally, I would also like to ask whether the statement under section 22 can be laid as a Written Ministerial Statement rather than an unnumbered paper, as a written statement has more visibility.

I am copying in the Home Secretary.

The Committee would appreciate a reply by 26 August if possible. Our Committee Clerk, Dr Rhiannon Williams, may be contacted on 020 72194585 or williamsrb@parliament.uk

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lord Goldsmith', with a stylized flourish at the end.

The Rt Hon. Lord Goldsmith KC

Chair of the House of Lords International Agreements Committee