



Home Office

Alex Norris MP
Minister for Border Security &
Asylum
2 Marsham Street
London SW1P 4DF
www.gov.uk/home-office

Lord Carlile of Berriew CBE KC,
Chair, Northern Ireland Scrutiny Committee
House of Lords
London
SW1A 0PW

22 December 2025

Dear Lord Carlile,

IMPACT OF THE WINDSOR FRAMEWORK ON THE SENTENCING BILL DEPORTATION PROVISION

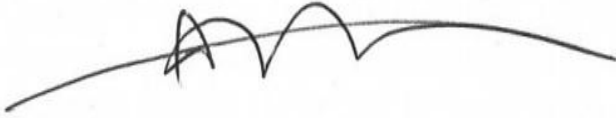
Thank you for your letter of 21 November to Jake Richards MP, Parliamentary Under-Secretary of State at the Ministry of Justice, about the impact of the Windsor Framework on the deportation provisions in the Sentencing Bill. As the Home Office has policy responsibility for the deportation provisions in this Bill, I have agreed with Jake that it would be more appropriate for me to reply.

Article 2(1) of the Windsor Framework provides a commitment that the rights, safeguards and equality of opportunity set out in the relevant part of the Good Friday Agreement are not diminished as a result of EU Exit. It is the Government's position that immigration is a reserved matter and that deportation powers are consistent across the UK. The UK Government is continuing to challenge the Courts' interpretation of the scope of Article 2(1) of the Windsor Framework, both in the case of Dillon and Ors v SOS for Northern Ireland, as well as pursuing an appeal against the High Court's ruling in Re. Northern Ireland Human Rights Commission application/JR295, which found that certain provisions of the Illegal Migration Act were incompatible with Article 2(1) of the Windsor Framework.

You asked why the explanatory documents accompanying the Sentencing Bill make no mention of Article 2(1) of the Windsor Framework or any assessment of the Bill's interaction with its provisions. The Government takes its obligations under Article 2(1) of the Windsor Framework seriously and has certain processes in place to enable Article 2(1) to be considered as part of development of a Bill, including guidance provided to Government departments on considering Article 2(1) in the Cabinet Office's Guide to Making Legislation. We consider that the deportation of foreign national offenders will not be prohibited by the provisions of the Windsor Framework. Our analysis suggests that the provisions in the Bill would not engage any right, safeguard or equality of opportunity as set out in the relevant part of the Good Friday Agreement. It is not Government policy to publish a discrete analysis of Article 2(1) of the Windsor Framework.

I am copying this response to the Rt Hon Lord Hermer KC, Attorney General, Tonia Antoniazzi MP, Chair of the Commons Northern Ireland Affairs Committee, Paul Frew MLA, Chair of the Northern Ireland Assembly Committee for Justice and Jake Richards at the Ministry of Justice.

Yours sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

Alex Norris MP
Minister for Border Security & Asylum