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Dear Chair,

Thank you for the Committee's request, raised during Lord Hanson of Flint's oral evidence session, for an update on cross-border civil and family law cooperation between the UK and the European Union (EU) following the UK's exit from the EU. Lord Hanson indicated that a note would be commissioned from an appropriate Ministry of Justice Minister, and I am responding as the minister responsible for International Justice.

The Government remains committed to positive cooperation in cross-border civil matters with the EU. Millions of UK and EU nationals live, work, travel, and have family or business links across our borders. It is vital that such individuals, families, and businesses can rely on stable, predictable frameworks when resolving cross-border disputes. At the UK-EU Summit in May of last year, both the UK and the EU acknowledged the value of constructive collaboration. The Summit Common Understanding noted the importance of positive judicial cooperation in civil and commercial law, including family matters, marking the first such recognition since the UK's exit from the EU.

Cooperation between the UK and EU Member States now takes place primarily through multilateral international frameworks, in particular under the auspices of the Hague Conference on Private International Law (HCCH), an intergovernmental organisation with 93 members (92 states plus the EU) that develops and operates international conventions to address cross-border civil and commercial matters, including family law matters.

The Government achieved a significant step in strengthening this framework in 2025, when the 2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters entered into force for the UK on 1 July 2025. The 2019 Hague Convention provides that judgments within scope of the Convention that are handed down in one Contracting Party can be recognised and enforced in another. The EU is party to this Convention, and all EU Member States except Denmark are bound by it. The Convention will provide greater certainty to parties that UK judgments will be enforced in the EU, and vice versa, and will reduce transactional and litigation costs in relevant cross-border disputes. It may also save time in the resolution of disputes.

Alongside this multilateral cooperation, the UK continues to engage with the European Commission and EU Member States through the European Judicial Network-Civil. This is an operational network bringing together judges, national authorities which operate international agreements, and officials to exchange information and address patterns in complex cross-border

cases, thereby supporting effective cooperation in practice. UK Ministry of Justice officials also engage with the Commission on technical aspects of our cooperation, particularly in family matters.

Officials at the UK Ministry of Justice also continue to engage regularly with domestic stakeholders to understand practical challenges and concerns related to UK cooperation with the EU, as experienced by practitioners, academics, and members of civil society.

Members of the Committee mentioned specifically the areas of maintenance and parental access to children. In maintenance matters, the UK and EU Member States continue to cooperate effectively through the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance which provides for recognition and enforcement of child and spousal maintenance agreements, as well as central authority assistance for families. On children matters, the UK and EU Member States apply the 1996 Hague Convention which provides, amongst other things, jurisdiction and recognition and enforcement rules for most decisions in children matters, including child arrangements matters, and for central authority assistance for families. The UK and all EU Member States also apply the 1980 Hague Convention on the Civil Aspects of International Child Abduction. The 1970 Hague Convention, which provides for recognition of divorce, also continues to apply between the UK and a number of EU Member States.

The 1965 and 1970 Hague Conventions on Service and Taking of Evidence also continue to apply to assist in the conduct of cross-border proceedings between the UK and the EU Member States, both in family and in civil and commercial matters.

We work closely with the Commission and Member States to ensure the operation of Hague Conventions is smooth and functional, including ensuring that national authorities are supported in their efforts where possible.

With regard to Baroness Hayter's question about recognition of insolvency-related judgments, while this is no longer automatic as it was before the UK left the EU, current evidence indicates that the market has adapted and leaving has not caused insurmountable problems. Officials at the Insolvency Service work closely with stakeholders, who have confirmed that restructuring work from the EU does still come to London because of the experience of the Judiciary, and the maturity and predictability of the courts. Moreover, the UK continues to contribute to discussions and cooperate with the EU as well as the wider international community, as a member of Working Group V (Insolvency) of the United Nations Commission on International Trade Law (UNCITRAL). The work of Working Group V has led to the adoption by UNCITRAL of a toolkit for the use of jurisdictions which are looking to develop law relating to Asset Tracing and Recovery, which includes avoidance provisions, and reflects best practice in this area as agreed by the member nations.

I hope this provides a helpful overview of the current picture of UK-EU cooperation in civil matters. As I hope is clear, there continue to be significant frameworks for cross-border cooperation in civil, commercial, and family matters between the UK and EU Member States, with many benefits for families and businesses. For some areas where there are no uniform rules, the UK jurisdictions have returned to well-established domestic conflicts of law rules, which provide, amongst other things, flexibility for litigants. The Government is committed to effective civil judicial cooperation and continues to engage closely with

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European and international partners and domestic stakeholders to understand practical issues and address them where possible, so that families, children, individuals, and businesses are appropriately supported and protected.

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

JAKE RICHARDS MP

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