

Northern Ireland Affairs Committee

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Robin Walker MP,
Minister of State,
Northern Ireland Office

From **the Chair**
Simon Hoare MP

By email only

14 July 2021

Dear Robin,

Thank you for your letter of 28 June setting out the Government's response to the Committee's report '*Cross-border co-operation on policing, security and criminal justice after Brexit*'. The Committee appreciates the Government responding to its report in a timely manner, however we have some concerns about the content of the response which are set out below. Merely relying on the 'it will be alright; do not worry' approach is not a reasonable invitation.

While it is welcome that the Government has acknowledged the need to continue to strengthen cross-border co-operation on policing, security and criminal justice, the Committee is concerned about the lack of detail provided in the response as to *how* the Government intends to do so. In response to this letter, we would welcome more detail on the mechanisms and initiatives through which the Government intends to strengthen future policing, security and criminal justice cooperation with the EU – in particular in response to the following points.

The Government's response does not set out how Ministers will review the effectiveness of new arrangements under the Trade and Cooperation Agreement (TCA). It is regrettable that the Government has not accepted the Committee's recommendation to commission a review in 2023 into the effects of the new extradition arrangements agreed in the TCA.

We urge the Government to explain how it plans to review the effectiveness of extradition arrangements under the TCA.

Likewise, the response overlooks our recommendation to report on the speed at which criminal records are exchanged under the new provisions in the TCA. The Government states that it "would...expect" that cooperation on extradition will "proceed largely as it did before the end of the transition period" and that the speed at which criminal record data is exchanged will not be affected by lengthier time limits agreed in the TCA. However, it will be difficult to ascertain whether this is the case if the Government does not provide evidence that the arrangements are working as expected. I am afraid that the conditional 'would expect' is not really sufficient with regards to this important matter.

We urge the Government to explain how it plans to assess the effectiveness of the speed at which criminal records are exchanged under the provisions in the TCA.

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We urge the Government to reconsider its position on these matters. Reporting on, and reviewing, the new measures agreed in the TCA would allow for constructive, evidence-based scrutiny of the TCA, something that would help contribute to the Government's stated common goal with the EU "to protect citizens".

The Committee is also disappointed that the Government has not responded to its recommendation to advance proactively the case for UK involvement in Europol (paragraph 109) and our recommendation that the frequency of strategic level meetings of the Joint Agency Taskforce be increased (paragraph 122).

We ask the Government to respond to our recommendations on UK involvement in Europol (paragraph 109) and on the frequency of strategic level meetings of the Joint Agency Taskforce (paragraph 122).

The Committee also notes the partial response to its recommendation set out in paragraph 29 of the report, with the Government failing to address what steps it plans to take to cooperate with the Executive to ensure that law enforcement agencies operating in Northern Ireland are adequately resourced.

We urge the Government to explain the steps it plans to take to cooperate with the NI Executive to ensure that law enforcement agencies operating in Northern Ireland are adequately resourced.

The Committee has looked at these issues with keen interest and some detail. We have made suggestions/recommendations as to how the Government could respond to the issues we have identified. At no point in the initial response does the Government say 'we disagree; this is not an issue' but instead dismisses our recommendation. What we want to hear is how, if not as we have suggested, is the Government to address the issues that we have raised and which the Government has not said it does not believe them to be issues. Given the importance and sensitivity of these issues you will not be surprised to know that the Committee does not find at all comforting the 'trust us, we are from the Government' approach. We hope ours was a serious report. Likewise we hope that the hope of a serious response is not too much to ask.

The Government is expected to respond to all recommendations made by Committees in full. We therefore expect to receive a response to those recommendations, as well as to the other points raised above, where the Government response is lacking in detail, before the House returns from summer recess on 6 September 2021.

Yours ever,

Simon

Simon Hoare MP
Chair, Northern Ireland Affairs Committee