



Northern
Ireland
Office

Minister of State for Northern Ireland
1 Horse Guards Road
London
SW1 2HQ
T 020 7210 6455
T 02890 160206

Stormont House
Belfast
BT4 3SH

E. min.walker@nio.gov.uk
www.gov.uk/nio

Follow us on Twitter @NIOgov

Simon Hoare MP
Chair - Northern Ireland Affairs Committee
Committee Office
House of Commons
London SW1A 0AA

Issued by email: NORTHIRCOM@parliament.uk

3rd August 2021

Dear Simon,

**Cross-border co-operation on policing, security and criminal justice after Brexit:
UK Government Response to NIAC Inquiry interim report**

I am writing in response to your letter dated 14 July 2021. I want to take this opportunity to address the points made within that letter.

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

As set out in the Government response, we are committed to monitoring the operation and effectiveness of the new extradition arrangements as provided for under the UK-EU Trade and Cooperation Agreement (TCA), as we are with all the arrangements under Part 3 of the TCA.

We are in regular contact with operational partners and our partners in the EU to monitor the extradition arrangements. The National Crime Agency (NCA) is responsible for the collation and publication of data in relation to extradition requests to and from the UK and EU Member States and publishes this data on an annual basis. This data includes figures for individuals wanted from the UK by EU Member States (requested under Part 1 of the Extradition Act 2003) and individuals wanted by the UK (requested under Part 3 of Extradition Act 2003). The most recent set of data was published on 24 May 2021.

COVID-19 has inevitably impacted upon a number of steps in the extradition process in relation to law enforcement activity and the amount and ease of movement between

countries, as well as the logistics around the escorted surrender of requested persons by law enforcement. The pandemic has impacted the level of extradition traffic system-wide under the new arrangements and we expect these impacts to register well into 2022.

I would also like to reassure the Committee that we look forward to continued engagement with Parliament more generally on the operation of the arrangements under the TCA.

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.

We are in regular contact with operational partners and our partners in the EU to monitor the operation and effectiveness of criminal records data exchange between the UK and EU Member States.

The UK Criminal Records Office (ACRO) leads on the operational management of criminal records exchange, and annually publishes statistics relating to criminal records data exchange between the UK and EU Member States. This includes requests both to and from the UK. Working with ACRO, we will keep the speed at which criminal records are exchanged under regular review.

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).

I agree with the assessment set out in paragraph 103 of the Committee's report that Europol provides a valuable service in supporting cross-border cooperation on serious and organised crime and terrorism. That is why the UK negotiated an agreement with the EU, as part of the TCA, which allows for close cooperation between the UK and Europol in a way which protects and enhances respective capabilities.

The UK, in line with its status as a third country, did not seek a role in Europol's management and governance structures during the negotiations. Nonetheless I am confident that the UK's arrangements at Europol allow for rapid exchange of operational information for mutual benefit. The TCA also contains a clear commitment by both sides to work to improve that wherever possible – as well as close working and consultation to align activity on common threats as needed.

In short, this agreement forms the basis for a strong and effective partnership between UK agencies and Europol on mutual threats going forward. The Government, with operational partners, will of course use it as a foundation for continued close engagement by the UK - as a much-valued partner - in regard to Europol's future priorities.

The Police Service of Northern Ireland (PSNI) leads on the Joint Agency Taskforce and is responsible for the frequency of meetings. The Government has passed on to the PSNI the Committee's recommendation for the Joint Agency Taskforce to meet quarterly, or as operational necessities warrant. We understand that this is under consideration in consultation with the other agencies within the Taskforce.

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 UK Government engages regularly with the Northern Ireland Executive on resourcing matters. We fully support the excellent work that law enforcement agencies undertake to keep people in Northern Ireland safe, often in exceptionally challenging circumstances.

As the Committee will be aware, funding for the PSNI is primarily a matter for the Devolved Administration. In 2020/21, the Northern Ireland Department of Finance allocated £844.3m to the PSNI, compared to £821.4m in 2020-21.

Recognising the unique security situation in Northern Ireland, the UK Government makes additional contributions to support PSNI through Additional Security Funding. The UK Government contribution for the financial year 21/22 will be £32 million, the same as what has been provided each year since 15/16 (£160million over 5 years).

In 2018 the PSNI received an extra injection of funding from the UK Government to prepare for EU Exit and the end of the transition period. This amounted to £16.48 million over three years and expired at the end of the 20/21 financial year, given that the transition period has now come to an end.

In addition, since 2016, the UK Government and NI Executive have jointly funded the Executive's Tackling Paramilitarism Programme. This programme encompasses the Paramilitary Crime Task Force composed of the PSNI, NCA and Her Majesty's Revenue and Customs (HMRC).

Both the NCA and HMRC also have substantial resources committed to Northern Ireland. Whilst funded by the UK Government, they work closely with the NI Executive and PSNI to ensure the people of Northern Ireland are protected from the harms caused by criminality.

We hope that this response sets out the Government's position and its commitment to Monitoring the effects of the TCA and to continuing to strengthen our bilateral relationship. We again thank the Committee for its detailed report and recommendations.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Robin Walker', written in a cursive style.

ROBIN WALKER MP
MINISTER OF STATE FOR NORTHERN IRELAND