

Summary of Recommendations

The Northern Ireland Human Rights Commission (NIHRC):

3.11 recommends that the UK and the EU should secure the continuation of data sharing arrangements as these measures facilitate speedy information sharing and retrieval, whereas a loss of these measures would result in delays in investigations and proceedings.

3.12 recommends that any facilitation of data sharing is based on mutual trust in the legal process and encompasses a commitment to the rule of law, the protection of human rights and, as part of this, a commitment to data protection standards and effective regulation of privacy rights.

4.11 recommends that in the absence of the European Arrest Warrant, an effective and efficient UK-EU extradition arrangement is agreed which is based on robust human rights and legal safeguards for accused persons and for victims of crimes.

4.20 The NIHRC recommends that the EU and UK seek to replicate the measures of cross-border cooperation that currently exist and ensure that strong human rights protections are built into any bilateral agreement on policing, security and criminal justice.

4.21 The NIHRC further recommends that highest standards of victims' rights and rights of accused persons are central to any future of cross-border cooperation. The preservation of the EU Victims' Directive in the Ireland/Northern Ireland Protocol is welcome and needs to be built on.

1.0 Introduction

- 1.1 The Northern Ireland Human Rights Commission (the NIHRC), pursuant to Section 69(1) the Northern Ireland Act 1998, reviews the adequacy and effectiveness of law and practice relating to the protection of human rights in Northern Ireland (NI). In accordance with this function, the NIHRC provides this submission to the Northern Ireland Affairs Committee Inquiry into cross-border cooperation on policing, security and criminal justice after Brexit.
- 1.2 The NIHRC bases its advice on the full range of internationally accepted human rights standards, including the European Convention on Human Rights (ECHR), as incorporated by the Human Rights Act 1998 and the treaty obligations of the Council of Europe (CoE) and United Nations (UN) systems. In addition to these treaty standards, there exists a body of 'soft law' developed by the human rights bodies of the CoE and UN. These declarations and principles are non-binding, but provide further guidance in respect of specific areas.
- 1.3 In August 2019, the Joint Committee of the Irish Human Rights and Equality Commission and the NI Human Rights Commission published commissioned research on 'Evolving Justice Arrangements Post-Brexit' which identified areas of concern for justice and policing cooperation as the UK leaves the EU.¹ Many of the issue raised in the Joint Committee's report continue to have relevance as the UK moves from the transition period into its new relationship with the EU. This submission highlights some of the key findings of this report in light of the UK-EU Withdrawal Agreement and the ongoing negotiations between the UK and the EU on the future of justice and security cooperation and future relationship.
- 1.4 The NIHRC welcomes this opportunity to provide evidence to this inquiry and is available to provide additional oral evidence if this could provide further assistance to the Committee.

2.0 Background

- 2.1 The authors of the report on 'Evolving Justice Arrangements Post-Brexit' emphasised that cross-border policing, security and criminal justice cooperation has an important human rights dimension.² It protects

¹ Amanda Kramer, Rachael Dickson and Anni Pues, 'Evolving Justice Arrangements Post-Brexit' (IHREC and NIHRC, 2019).

² Amanda Kramer, Rachael Dickson and Anni Pues, 'Evolving Justice Arrangements Post-Brexit' (IHREC and NIHRC,

victims of crime by making it as difficult as possible for people to exploit the border for the purposes of criminal activity or to evade arrest.

- 2.2 Article 127 of the UK-EU Withdrawal Agreement clarifies that unless otherwise specified that EU law “shall continue to be applicable to and in the UK during the transition period”. Articles 62-65 of the UK-EU Withdrawal Agreement provide further guidance what provisions of law and ongoing cooperation will continue to apply during transition and make it clear that the limits of its application is to requests and actions commenced prior to the end of transition.
- 2.3 After 31 December 2020, the scope for continuing cross-border cooperation on policing, security and criminal justice will rely on the terms of the UK-EU future relationship agreement which is the subject of ongoing negotiations. In February 2020, the UK Government set out its approach to negotiations on the future relationship and committed to seeking a separate bilateral agreement with the EU to facilitate police and judicial cooperation between the UK and EU.³ In May 2020, the UK published a draft working text on law enforcement and judicial cooperation in criminal matters.⁴
- 2.4 When conducting the research on the evolving justice arrangements after the UK leaves the EU, the researchers conducted a number of interviews with a range of experts and practitioners working in the area of police cooperation, security and justice. They also considered the extent to which EU measures would be available to the UK, as a third country, after the UK withdraws from the EU. In addition, they investigated potential alternatives to the current EU measures in place which could be used to facilitate ongoing cross-border cooperation.⁵
- 2.5 In some areas there is no precedent for third country participation in EU measures and in others where third party participation is facilitated it is on the basis of partial access associated with membership of the Schengen Agreement and therefore it may not be extended to the UK.

3.0 Access to EU Data Sharing

2019).

³ HM Government, ‘The Future Relationship with the EU – The UK’s Approach to Negotiations’ (HMG, 2020), at 24-27.

⁴ Draft UK Negotiating Document for an Agreement on Law Enforcement and Judicial Cooperation in Criminal Matters, May 2020.

⁵ Amanda Kramer, Rachael Dickson and Anni Pues, ‘Evolving Justice Arrangements Post-Brexit’ (IHREC and NIHR, 2019).

- 3.1 When subject to appropriate human rights and data protection safeguards, the sharing of information in relation to crime prevention and ongoing criminal cases helps to protect people from human rights abuses and ensure that justice is not unduly delayed for suspects or victims of crime. Within the EU, all Member States must comply with exacting data protection regulations and the EU Charter on Fundamental Rights, which are supervised by the Court of Justice of the EU. These governance frameworks continue to apply in the UK during the transition period, but once the transition period ends on 31 December 2020, the UK will be in a position to diverge from these standards. The EU (Withdrawal) Act 2018 has confirmed that the EU Charter on will no longer apply and UK courts will no longer be bound by decisions of the Court of Justice of the EU.⁶ The UK Government is committed to ensuring that data exchange and operational cooperation is secured in its future relationship negotiations.⁷
- 3.2 Currently, the UK has access to a number of EU criminal justice and law enforcement databases relating to information sharing, these include:
- Schengen Information System (SIS II), which provides alerts on the movement of people or objects of interest as they cross EU borders;⁸
 - European Criminal Records Information System (ECRIS), which provides for sharing of criminal record data and translates offences between Member States;⁹
 - Europol Information System (EIS), which is criminal intelligence and information database holding information on serious international crimes, suspected and convicted persons, criminal structures and offences;¹⁰ and
 - Passenger Name Record (PNR), which provides for the sharing of travel information for prevention, detection, investigation and prosecution of terrorist offences and serious crime.¹¹
- 3.3 In addition, since July 2019 the UK has been exchanging DNA data on convicted persons via Prüm, a tool for sharing of biometric data.¹² In June

⁶ Sections 5-6 EU Withdrawal Act 2018.

⁷ HM Government, 'The Future Relationship with the EU – The UK's Approach to Negotiations' (HMG, 2020), at 25.

⁸ Regulation 1987/2006, 'European Parliament and European Council Regulation on the Establishment, Operation and Use of the Second Generation Schengen Information System (SIS II)', 28 December 2006.

⁹ Framework Decision 2008/675, 'European Council Framework Decision taking Account of Convictions in the Member States of the European Union in the Course of New Criminal Proceedings', 15 August 2008.

¹⁰ Regulation 2016/794, 'European Parliament and European Council Regulation on the European Union Agency for Law Enforcement Cooperation (Europol)', 11 May 2016.

¹¹ Directive 2016/681, 'European Parliament and European Council Directive the Use of Passenger Name Records for the Prevention, Detection, Investigation and Prosecution of Terrorist Offences and Serious Crime', 4 May 2016.

¹² Council Decision 2008/615, 'European Council Decision on the Stepping Up of Cross-border Cooperation, particularly

2020, the Minister of State for Security made a written statement to Parliament announcing an intention to extend data sharing in this area to people suspected of committing offences.¹³

- 3.4 The revised Political Declaration recognises the need for “effective and swift data sharing” and the parties have committed to establishing “reciprocal arrangements for timely, effective and efficient exchanges of Passenger Name Record (PNR) data... and of DNA, fingerprints and vehicle registration data (Prüm)”.¹⁴ At an early stage in the negotiation process, it was clear that access to EU/Schengen only databases would not be available to the UK post Brexit. Tools such as Schengen Information System, European Criminal Records Information System and Europol Information System are not mentioned in the Political Declaration.
- 3.5 In May 2020, the UK Government published a draft working text for an agreement on law enforcement and judicial cooperation in criminal matters, which recognised that the EU’s position was that access to the Schengen Information System (SIS II) database was not possible for third countries, however expressed the view that there is a “there is a mutual interest in providing capabilities similar to SIS II and that this is legally possible”.¹⁵ In 2019, the Schengen Information System (SIS II) database was accessed 572 million times by UK officers.¹⁶
- 3.6 Schengen Information System (SIS II) is recognised as one of the most important tools available to police officers here as it is “efficient and integrated”, as officers on the ground are equipped with mobile devices that enable them to run checks on persons and vehicles while out on patrol.¹⁷ In the Joint Committee research one security and justice expert noted that access to this database was “the one that the UK has most interest in maintaining access to and probably the least chances of”.¹⁸

in *Combating Terrorism and Cross-border Crime*, 6 August 2008.

¹³ UK Parliament Hansard, ‘Written Statement: Prüm – Data Sharing Update – Minister of State for Security, James Brokenshire MP – Statement UIN HCWS290’, 15 June 2020.

¹⁴ HM Government, ‘Political Declaration setting out the framework for the future relationship between the EU and the UK’ (HMG, 2019), at para 83-4.

¹⁵ Part 10, Draft UK Negotiating Document for an Agreement on Law Enforcement and Judicial Cooperation in Criminal Matters, May 2020.

¹⁶ European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice, ‘SIS II – 2019 Annual Statistics’ (EULISA, 2020), at 6.

¹⁷ Amanda Kramer, Rachael Dickson and Anni Pues, ‘Evolving Justice Arrangements Post-Brexit’ (IHREC and NIHRC, 2019), at 63.

¹⁸ *Ibid*, at 63.

3.7 Similarly, access to the European Criminal Records Information System (ECRIS) is essential to connect national criminal databases and facilitate information exchange. One advantage of the European Criminal Records Information System is its efficiency, as it “maps the offence codes of each EU jurisdiction and so takes account for any variations in the meanings attached to offences across Member States”.¹⁹ As noted by one of the justice and security practitioners interviewed:

if someone is charged to court in this country, ECRIS would return a criminal record from a Member State for that person (if one existed) within ten days. Without this system an approximate timeline to receive this information is sixty days.²⁰

3.8 In 2017, the European Commission published its first report on European Criminal Records Information System and found that the UK was a leading user of the system.²¹

3.9 In the revised Political Declaration on the Future Relationship, the UK and EU are “committed to ensuring a high level of personal data protection” to facilitate data-flows between both parties.²² In March 2020, the UK Government published a series of documents which focus on obtaining an adequacy decision from the EU Commission to facilitate the free flow of personal data between the EU and the UK.²³ In the revised Political Declaration, the EU committed to assessing whether the UK’s data protection regime provides “an adequate level of protection” to facilitate transfers of personal data and “endeavouring to adopt decisions by the end of 2020, if the applicable conditions are met”.²⁴

3.10 If a data-protection adequacy decision is granted, it would be subject to periodic review and any co-operation depending upon it could include a ‘guillotine clause’ to stop co-operation if UK standards fall below requirements. The periodic reviews could create opportunities to enhance the protection of privacy in the UK if it facilitated debate on surveillance measures currently exempt from EU data protection standards.

¹⁹ Ibid, at 65.

²⁰ Ibid, at 65.

²¹ European Commission, ‘Report concerning the exchange through the European Criminal Records Information System (ECRIS) of information extracted from criminal records between the Member States’ (EC, 2017).

²² HM Government, ‘Political Declaration setting out the framework for the future relationship between the EU and the UK’ (HMG, 2019), at para 8.

²³ Department for Digital, Culture, Media and Sport, ‘Explanatory Framework for Adequacy Discussions’ (DCMS, 2020).

²⁴ HM Government, ‘Political Declaration setting out the framework for the future relationship between the EU and the UK’ (HMG, 2019), at para 83-84.

- 3.11 The NIHRC recommends that the UK and the EU should secure the continuation of data sharing arrangements as these measures facilitate speedy information sharing and retrieval, whereas a loss of these measures would result in delays in investigations and proceedings.**
- 3.12 The NIHRC further recommends that any facilitation of data sharing is based on mutual trust in the legal process and encompasses a commitment to the rule of law, the protection of human rights and, as part of this, a commitment to data protection standards and effective regulation of privacy rights.**

4.0 EU Cooperation Mechanisms

4.1 The UK is also party to the key EU mechanisms and networks to facilitate cross border policing, prosecution of offences and judicial cooperation. These include:

- European Arrest Warrant, which allows for an expedited extradition process and removes the need for political involvement;²⁵
- European Supervision Order, which provides for the mutual recognition of supervision measures and an alternative to provisional detention;²⁶
- European Protection Order, which allows court protection orders issued in one Member State to be enforced in another;²⁷
- European Investigation Order, which provides a mutual recognition framework for judicial decisions;²⁸
- Europol, which offers support for law enforcement operations on the ground and provides a hub for information on criminal activities and a centre of expertise;²⁹

²⁵ Council Decision 2002/584/JHA, 'European Council Framework Decision on the European Arrest Warrant and the Surrender Procedures between Member States', 18 July 2002.

²⁶ Council Decision 2009/829, 'European Council Framework Decision on the Principle of Mutual Recognition of Supervision Measures and An Alternative to Provisional Detention', 11 November 2009.

²⁷ Directive 2011/99, 'European Parliament and European Council Directive on the European Protection Order, 21 December 2011.

²⁸ Directive 2014/41, 'European Parliament and European Council Directive on the European Investigation Order in Criminal Matters', 1 May 2014.

²⁹ Regulation 2016/794, 'European Parliament and European Council Regulation on the European Union Agency for Law Enforcement Cooperation (Europol)', 24 May 2016.

- EUROJUST, which supports judicial coordination and co-operation between national authorities in combating serious organised crime affecting more than one EU country;³⁰
- European Judicial Network, a network of national contact points for the facilitation of judicial co-operation in criminal matters;³¹ and
- Victims' Rights Directive, which establishes minimum standards on the rights, support and protection of victims of crime, including access to justice.³²

4.2 These tools and measures are supported by a range of laws and EU measures on the application of the principle of mutual recognition in relation to judgements, penalties or confiscation orders and a range of other areas.³³

European Arrest Warrants and Extradition

4.3 The UK is one of the most active users of the European Arrest Warrant procedure and "between 2009 and 2016, the UK surrendered 7,436 individuals wanted by other EU Member States and it issued 1,669 warrants".³⁴ Since 2004 when this system became operational, it has reduced the average extradition time to 48 days and has "increased human rights protections for individuals facing extradition, due mainly to the Court of Justice of the EU interventions on EU Charter of Fundamental Rights violations".³⁵ However the human rights issues with the European Arrest Warrant persist. For example, the UK uses the European Arrest Warrants without participating in all the safeguards in EU law, such as opting out of an EU Directive on access to a lawyer.³⁶

4.4 If the UK no longer has access to the European Arrest Warrant procedure when it leaves the EU, it would have to rely on the European Convention on Extradition 1957, which would cause considerable disruption to extradition arrangements. The Joint Committee's research noted that the principal benefit of the European Arrest Warrant is that:

³⁰ Council Decision 2002/187, 'European Council Decision on Setting up Eurojust', 6 March 2002.

³¹ Council Decision 2008/976, 'European Council Decision on the European Judicial Network', 16 December 2008.

³² Directive 2012/29, 'European Parliament and European Council Directive on Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime', 25 October 2012.

³³ Amanda Kramer, Rachael Dickson and Anni Poes, 'Evolving Justice Arrangements Post-Brexit' (IHREC and NIHRC, 2019), at 23-24.

³⁴ Ibid, at 28.

³⁵ Ibid, at 4.

³⁶ Directive 2013/48, 'European Parliament and European Council Directive on the Right of Access to a Lawyer in Criminal Proceedings and in European Arrest Warrant Proceedings', 22 October 2013.

it is a streamlined arrangement, it is mutually recognisable across all of the EU States and an EAW issued in one Member State territory can be executed in any other Member State territory so there's that reciprocal recognition attached to it which is obviously incredibly beneficial for the criminal justice system generally.³⁷

- 4.5 There is no precedent for third country participation in the European Arrest Warrant and it is likely the UK will have to negotiate a new arrangement. In 2018, the then Chief Constable, George Hamilton, noted his concerns about losing access to European Arrest Warrant stating that "for the Police Service NI, the European Arrest Warrant is particularly critical in our continued collaboration with An Garda Síochána and ensuring that the border cannot be used by criminals to evade prosecution".³⁸
- 4.6 Extradition under the European Arrest Warrant has been a feature of improved North-South and UK-Ireland co-operation and has facilitated progress on a matter of historic political difficulty and sensitivity. EU measures have speeded up and streamlined cross-border cooperation. Alternatives to the European Arrest Warrant will result in delay and uncertainty for those accused and for victims and witnesses of crime. If someone commits a serious crime in Northern Ireland, then moves to Dublin, the Police Service NI can currently go to a local court to seek a European Arrest Warrant which will be recognised in Dublin. After the transition period expires, unless a new mechanism is agreed, a similar request would have to go through a more lengthy international extradition process. This delay and uncertainty could result in a reduction in public confidence.³⁹ A return to previous, less effective arrangements under the European Convention on Extradition, which have not been developed in line with modern human rights standards, creates additional problems.⁴⁰
- 4.7 Extradition is prohibited where there are substantial grounds for believing that the person would face a real risk of being subjected to torture,

³⁷ Amanda Kramer, Rachael Dickson and Anni Pues, 'Evolving Justice Arrangements Post-Brexit' (IHREC and NIHRC, 2019), at 28.

³⁸ Mark Bain, 'Brexit: Northern Ireland security at risk if UK kicked out of EU extradition system, warns police chief', *Belfast Telegraph*, 20 June 2018.

³⁹ Amanda Kramer, Rachael Dickson and Anni Pues, 'Evolving Justice Arrangements Post-Brexit' (IHREC and NIHRC, 2019), at 89.

⁴⁰ European Convention on Extradition 1957.

inhuman or degrading treatment or punishment contrary to Article 3 ECHR in the receiving country.⁴¹

- 4.8 The UN Human Rights Committee similarly obliges States to ensure they do not “not expose individuals to the danger of torture or cruel, inhuman or degrading treatment or punishment upon return to another country by way of their extradition, expulsion or refoulement”.⁴²
- 4.9 Section 89 of the Extradition Act 2003 requires the judge presiding over an extradition hearing to decide whether the extradition would be compatible with ECHR. Where the extradition is incompatible with the rights in the ECHR, the judge must discharge the person subject to the extradition procedure.
- 4.10 The negotiation of new extradition arrangements between the UK and the EU provides an opportunity for the UK and EU to better protect the human rights of individuals facing extradition by implementing a safeguard to refuse extradition if it would be incompatible with an individual’s rights under the ECHR.
- 4.11 **The NIHRC recommends that in the absence of the European Arrest Warrant, an effective and efficient UK-EU extradition arrangement is agreed which is based on robust human rights and legal safeguards for accused persons and for victims of crimes.**

Cross-Border Cooperation

- 4.12 In the Political Declaration, the UK and EU commit to “work together to identify the terms for the United Kingdom’s cooperation via Europol and Eurojust” and for “practical cooperation” on the basis of what is “appropriate to the UK’s future status”.⁴³ The extent of future UK participation in these measures is uncertain.
- 4.13 Other EU measures such as the European Investigation Order and the European Supervision Order and the European Protection Order, enable police and law enforcement agencies to assist each other with

⁴¹ *Soering v United Kingdom* (1989) ECHR 14, at para 88-91.

⁴² ‘UN Human Rights Committee General Comment 20 on Article 7 (Prohibition of torture, or other cruel, inhuman or degrading treatment or punishment), Forty-Fourth Session (1992), at para 9.

⁴³ HM Government, ‘Political Declaration setting out the framework for the future relationship between the EU and the UK’ (HMG, 2019), at para 86-88.

investigations; obtain evidence from one another; increase speed and efficiency; and offer enhanced support and protection for victims and witnesses of crime. None of these mechanisms currently permit participation of third countries outside of the EU.

- 4.14 Common EU membership has provided a supportive framework for devolved institutions in Northern Ireland, North-South relationships and UK-Irish relationships.⁴⁴ There are high levels of support for, and reliance on, EU measures to support North-South co-operation on justice and policing, as noted by one justice and security expert on Police Service NI-An Garda Síochána cooperation, “there are a lot of bilateral measures but they all cite EU law as a basis... One of the founding foundations of each one will be the relevant EU legal basis”.⁴⁵
- 4.15 EU mechanisms and measures operate within the remit of the EU Charter of Fundamental rights, as well as the ECHR and are safeguarded by the independent judicial oversight of the Court of Justice of the EU. Therefore once the UK is no longer subject to these safeguards, it creates the need for equivalent arrangements to facilitate cooperation. As one senior police officer framed it, “human rights being something which is the basis on which both the UK and the EU should approach the negotiations and that cuts right across everything”.⁴⁶
- 4.16 The EU measures relating to victims are particularly important. The European Protection Order allows for victims of crime who are granted protection from their aggressor in one Member State are able to enjoy similar protection if they are in another Member State.⁴⁷ The UK could legislate to recognise European Protection Orders in the UK, however an agreement with the EU would be required to ensure that ‘protection orders’ issued in the UK were actionable in EU Member States. In addition, the Victims’ Rights Directive has been instrumental in creating a consistent approach to how victims and witnesses of crime are treated. As one security and justice expert clarified:

⁴⁴ Joint Committee of the Irish Human Rights and Equality Commission and the Northern Ireland Human Rights Commission, ‘Policy Statement on the UK withdrawal from the EU’ (IHREC and NIHRC, 2018)

⁴⁵ Amanda Kramer, Rachael Dickson and Anni Pues, ‘Evolving Justice Arrangements Post-Brexit’ (IHREC and NIHRC, 2019), at 53.

⁴⁶ Ibid, at 86.

⁴⁷ Ibid, at 45.

we didn't really have anything like it, we didn't treat victims properly, what we tended to do was ignore them and treat them very badly or suddenly put them to the forefront of every prosecution and give them rights that frankly they weren't entitled to and give them expectations that could not be fulfilled. So they were used completely as a political football, and not only in the Northern Ireland context where that is probably obvious but just generally victims of crime across the UK.⁴⁸

4.17 Article 2(1) of the Ireland/Northern Ireland Protocol to the UK-EU Withdrawal Agreement commits the UK to ensuring that:

no diminution of rights, safeguards or equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity results from its withdrawal from the Union, including in the area of protection against discrimination.⁴⁹

This is clarified in Annex 1 of the Protocol, which sets out a list of six equal treatment directives, which in the view of the NIHRC is non-exhaustive.

4.18 The Belfast (Good Friday) Agreement includes specific protections for the rights of victims in the sections on rights, safeguards or equality of opportunity.⁵⁰

4.19 In the UK Government's explainer on its commitment to no diminution of rights, safeguards and equality of opportunity in Northern Ireland in Article 2 of the Protocol, it confirms that the EU Victims' Directive, among others, will continue to apply in NI. The Explainer confirms that the UK Government:

[does] not envisage any circumstances in which those rights would be rolled back ... provided that the rights in question are relevant to the aforementioned chapter of the Agreement, they are in scope of the UK Government's commitment that there will be no diminution of rights as a result of the UK leaving the EU.⁵¹

⁴⁸ Ibid, at 45.

⁴⁹ Protocol on Ireland/Northern Ireland to the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community 2020.

⁵⁰ Agreement between the Government of the UK and the Government of Ireland, 10 April 1998, at Article 1(vi).

⁵¹ NI Office, 'UK Government Commitment to "No Diminution of Rights, Safeguards and Equality of Opportunity" in

- 4.20 **The NIHRC recommends that the EU and UK seek to replicate the measures of cross-border cooperation that currently exist and ensure that strong human rights protections are built into any bilateral agreement on policing, security and criminal justice.**
- 4.21 **The NIHRC further recommends that highest standards of victims' rights and rights of accused persons are central to any future of cross-border cooperation. The preservation of the EU Victims' Directive in the Ireland/Northern Ireland Protocol is welcome and needs to be built on.**

1 October 2020