



Home Office

Rt Hon Nick Hurd MP
Minister of State for Policing and the Fire
Service

2 Marsham Street
London SW1P 4DF

www.gov.uk/home-office

Lord Boswell of Aynho
Chairman of the European Union Committee
House of Lords
London
SW1A 0AA

25 January 2019

Thank you for your letter of 14 November 2018 following the Government's response to the Committee's report *Brexit: the proposed UK-EU security treaty*. Please accept my apology for the delay in issuing this response, which has to some extent been overtaken by the debate on the Committee's report that was held in the House of Lords on 16 January, and which Baroness Williams of Trafford responded to on behalf of the Government.

In your letter, you asked for more detail in support of the Government's view that a comprehensive security agreement can be reached within the time available, and further detail on planning the Government has done for the possibility that current EU security mechanisms are not available at the end of an Implementation Period.

As you note in your letter, the Government disagreed with the Committee's conclusion that a single comprehensive agreement will necessarily be difficult to secure within the time available, and that a series of ad hoc security arrangements might be a more realistic aim. The UK's proposals for a comprehensive agreement on internal security – outlined in last year's White Paper – would allow cooperation to take place on the basis of existing EU measures, with negotiations focusing principally on the overarching provisions and safeguards in a comprehensive agreement. In our view, this would lead to a faster and more efficient negotiation and avoid the prospect of having to tackle the same issues repeatedly in a collection of agreements on individual capabilities.

Your letter also highlighted the Committee's concern about preparations should the UK not have a new agreement in place at the end of the Implementation Period. As part of our planning for a 'no deal' scenario, we are preparing to move co-operation to alternative, non-EU mechanisms which we

already use for co-operating with many non-EU countries. Broadly speaking, this would mean making more use of Interpol, Council of Europe conventions, and other forms of cooperation with European partners, such as bilateral channels. These are tried and tested avenues, but we are clear that these contingency arrangements will not be like-for-like replacements for the EU tools and would result in a mutual reduction in capability.

A gap between the end of the Implementation Period and a new agreement coming into force is not in anyone's interests. Nonetheless, the preparations we are making for a 'no deal' scenario in March 2019 would remain relevant at the end of an Implementation Period.

I hope this additional information is of assistance to the Committee.

I am copying this letter to the House of Lords European Union Committee; Tristan Stubbs, Clerk to the House of Lords Home Affairs Committee; Christopher Johnson, Principal Clerk to your Committee; Les Saunders, the Department for Exiting the European Union; and Alejandra Bernal, Scrutiny Coordinator, Home Office.

A handwritten signature in blue ink that reads "Nick Hurd". The signature is written in a cursive, slightly slanted style.

RT HON NICK HURD MP
Minister of State for Policing and the Fire Service