

LONDON ASSEMBLY BREXIT DIRECTIVE III – Security after Brexit

For the Mayor of London to deliver to Government

Chairman of the Police and Crime Committee



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Sadiq Khan

Mayor of London
(via email)

Dear Sadiq

In our second 'Brexit Directive', the EU Exit Working Group raised the issue of law enforcement and criminal justice. We asked you to press for current law enforcement and security arrangements to be maintained; and to lobby on behalf of our law enforcement and criminal justice agencies for any additional measures that could further improve safety and security.¹

Following a recent meeting of the Police and Crime Committee, at which Brexit was discussed, this letter pushes again for certainty for our law enforcement and criminal justice services in the run up to Brexit.

Provisions such as Europol, the European Arrest Warrant, the Schengen Information System II, EU passenger name records, Prum arrangements and the European Criminal Records Information System provide a helpful legal framework for the Met and other forces. This framework enhances the capability of the police to respond to threat, risk and harm. Assistant Commissioner Martin Hewitt told us that it is "advantageous to us both preventing and investigating crime" and that "we would want them retained."² We welcome your focus on the 'red lines' that you have set out for Brexit talks, but remain concerned about the lack of progress in securing any guarantee on their inclusion in a final Brexit deal. You have said that "no deal on these complex security issues is simply not an option": the Government's position appears to be that any risk will be mitigated by new agreements.³ And indeed, there may well be scope for even improved arrangements, but we are concerned that the Government's

¹ [LONDON ASSEMBLY BREXIT DIRECTIVE II – A Brexit strategy for London](#)

² Meeting of the Police and Crime Committee, 15 November 2017

³ Mayor of London, [Mayor's six security red lines on Brexit](#), 19 October 2017

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position provides little certainty other than, as your Deputy Mayor for Policing as Crime has suggested, “warm words”.⁴

The time is now approaching to consider what contingencies may be needed, should — although “unthinkable” — no deal be reached on law enforcement and justice measures as we exit the EU. We know from arrangements between the EU and other countries, that coming to a bi-lateral deal on any one of the measures set out in your ‘red lines’ is not a quick process.

Your Deputy Mayor for Policing and Crime has said that if there is no confidence in the transitional arrangements by the new year, the Met will need to start considering what contingencies can be put in place. With the potential for further delays to Brexit negotiations, it looks increasingly inevitable that this may need to be considered. We urge you to press for greater clarity for police forces on the Government’s timescales and ambitions for law enforcement and justice. We also ask that you maintain close working links with the National Crime Agency and National Police Chiefs’ Council—which are leading on discussions with the Home Office on behalf of police forces—and support them in their discussions with the Government on this critical issue.

Clearly the extra demand that planning for Brexit would place on the Met comes at a time of already shrinking capacity. Progress and certainty on this is therefore important before the Met dedicates a level of resource that might ultimately not be needed. We would therefore appreciate a response to this letter by the 31st January 2018, in anticipation of further discussion on this issue in the Police and Crime Committee early in the new year.

Yours sincerely



Steve O’Connell AM

Chairman of the Police and Crime Committee

⁴ Meeting of the Police and Crime Committee, 15 November 2017