



The Scottish Parliament
Pàrlamaid na h-Alba

Justice Committee

Roseanna Cunningham MSP
Minister for Community Safety and
Legal Affairs
Scottish Government

All correspondence c/o:
Justice Committee Clerks
Room TG.01
The Scottish Parliament
Edinburgh
EH99 1SP

EMAIL ONLY

Tel: 0131 348 5195
Type Talk Direct No. 18001 0131 348 5195
Fax: 0131 348 5252
justice.committee@scottish.parliament.uk

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Dear Roseanna

UK Government's 2014 EU opt-out decision

Thank you for offering to provide a private briefing with officials in relation to the UK Government's negotiations arising from its decision to opt out of all EU police and criminal justice measures adopted prior to the Lisbon Treaty. The Justice Committee accepted this offer and received an extremely useful briefing from officials at its meeting yesterday.

The Committee understands that the Scottish Government has requested further clarification from the UK Government on its position that transitional arrangements could allow measures to continue beyond 1 December 2014 if agreement with the European Commission and member states is not reached by this point. The UK Government's position was set out by Lord Taylor during a debate in the Lords on 17 July 2014:

"If it is necessary to use transitional measures, we consider that transitional arrangements could be used to preserve the legal effects of measures that the Government have said they will rejoin, where there is a short operational gap."¹

"I have had a supplementary note to the effect that, in case transitional measures are needed, the matter is being considered in a working group in Brussels; this is parallel to the wider negotiations. Our aspirations are that these transitional measures will not be necessary, but they are being discussed."²

¹ COL 771, Hansard, 17 July 2014.

² COL 774, Hansard, 17 July 2014.

The Committee would be interested to receive an update from the Scottish Government on the explanation provided by the UK Government on the basis for its position on transitional arrangements once received.

The Committee also understands that there have been a number of changes to the original list of measures that the UK Government is negotiating to opt back in to. We would therefore welcome further details of the five measures that have been added to the list and the five measures that have been removed from it, including how they affect Scotland, if at all.

The Committee would welcome this information by Friday 12 September.

Yours sincerely

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

Christine Grahame MSP
Convener, Justice Committee