



Rt Hon Sajid Javid MP
Secretary of State for the Home Office
2 Marsham St
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SW1 4DF

02nd August 2018

Sent via Email

*CC: Mark Burns-Williamson PCC, Chair of the Association of Police and Crime Commissioners
CC: Susannah Hancock, Chief Executive of the Association of Police and Crime Commissioners*

Official Sensitive

Dear Home Secretary,

RE: Brexit

The Association of Police and Crime Commissioners (APCC) and its members have been proactive in engaging with policing and justice bodies from across the UK in order to further understand all of the implications for our police forces on the potential outcome of negotiations on the UK's future relationship with the European Union (EU).

These negotiations come at a time when the in-country threat from foreign national offenders targeting the UK from abroad is increasing, and when international cooperation is a key element of the fight against crime.

Michel Barnier's comments during his speech of 19 June 2018 in Vienna assume that the UK Government will be unable to negotiate a security treaty which allows access to EU and Schengen only database and instruments, such as: the Schengen Information System (SISII); the European Arrest Warrant; Europol; Joint Investigation Teams; European Investigation Orders; Prüm; and the European Criminal Records Information System (ECRIS).

This is despite the clear willingness of EU Member States wanting to continue working closely with the UK post-Brexit on policing, security and justice.

The UK and EU share a common and ever evolving threat picture. We believe that a comprehensive partnership in all areas of policing and security cooperation is of mutual benefit to all.

We must do what is most practical and efficient on security and justice, for our citizens, including the 3.5 million EU citizens living in the UK, and the approximately 800,000 UK nationals living in the EU.

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The APCC provides support to all
Police and Crime Commissioners
and policing governance bodies in
England and Wales

Through discussions with the NCA and NPCC, we understand that considerable additional resource would be required for policing to operate using non-EU tools and that such tools would be sub-optimal – potentially putting operational efficiency and public safety at risk.

It is also recognised that recruitment, vetting, and training of staff to use these tools would take a substantial amount of time.

Should an implementation period not be agreed, contingency plans will need to be implemented by the end of March 2019. Given that the implementation period decision is not likely to be known until October 2018, the resultant five month window is likely to be very challenging.

We are therefore concerned that a ‘no deal’ scenario could cause delays and challenges for UK policing and justice agencies.

There are 32 Law Enforcement and National Security Measures (LENS) that are used on a daily basis in an operational policing context. Unless the Government is able to negotiate the retention of these measures following the UK’s withdrawal from the EU, police and law enforcement agencies face a significant loss of operational capacity.

As Police and Crime Commissioners, we are increasingly concerned that such a loss of capacity could pose significant risks to our local communities.

These shared tools, measures, initiatives and capabilities which have been developed over the last 40 years of cooperation across the EU have saved many lives. We must find ways to protect these mutually important capabilities when the UK leaves the EU in order to ensure the safety and security all our citizens.

As Home Secretary, we would ask that you:

- a) Seek assurances that, whatever deal is negotiated, the need for UK policing to retain the LENS tools are prioritised;
- b) Confirm that the Home Office has developed effective contingency plans for a ‘no deal’ scenario;
- c) Work closely with the APCC, NPCC, and NCA in building a detailed understanding of and response to the risks potentially posed; and
- d) Consider the financial provisions and additional resources required to support contingency planning work in the event of no comprehensive security treaty being achieved.

We also request the opportunity to meet with you at your earliest convenience to discuss preparations, contingencies and the financial implications of post-Brexit policing.

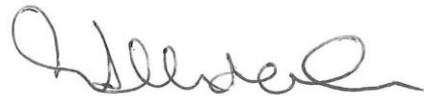
Yours sincerely,



Matthew Scott PCC
Kent



Lord William Bach PCC
Leicestershire



Martyn Underhill PCC
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Association of Police and Crime Commissioners' Brexit Working Group