



The Scottish Parliament  
Pàrlamaid na h-Alba

## Criminal Justice Committee

**Rt Hon Dame Karen Bradley MP**  
**Chair**  
**Home Affairs Committee**  
**House of Commons**

and

**Andy Slaughter MP**  
**Chair**  
**Justice Committee**  
**House of Commons**

Copied for information to: The Rt Hon Emily Thornberry MP, Chair, Foreign Affairs Committee and Patricia Ferguson MP, Chair, Scottish Affairs Committee

Via email only

**28 May 2025**

Dear Ms Bradley and Mr Slaughter

### **Priorities for the Scottish Criminal Justice System in the forthcoming review of the Trade and Cooperation Agreement between the United Kingdom and the European Union**

I am writing to you as the respective Chairs of the Home Affairs Committee and the Justice Committee, in terms of your scrutiny of UK Government policy on criminal justice and cooperation with the European Union under the Trade and Cooperation Agreement.

As you may be aware, the Criminal Justice Committee of the Scottish Parliament has undertaken [research](#) supported by members of the Scottish Parliament Academic Fellowship. The purpose of this work is to inform parliamentary scrutiny and ensure that key Scottish and UK stakeholders work to deliver on the specific needs of the Scottish criminal justice system in the forthcoming review of the Trade and Cooperation Agreement (TCA) between the United Kingdom and the European Union in 2026.

Between March 2023 and January 2024 Gemma Davies, Associate Professor of Criminal Law at Durham University, and Helena Farrand Carrapico, Professor of International Relations and European Politics at Northumbria University, undertook research on behalf of the Committee. The aim of this research has been to [assess the actual impact](#) of the UK's withdrawal from the European Union on Scotland's

criminal justice system. The Committee took written and [oral evidence](#) from Professors Davies and Farrand Carrapico on 30 April 2025.

This work is intended to provide Members of the Scottish Parliament and key stakeholders in Scotland and in the UK Government, with a roadmap of the implications of the signing of the TCA on Scotland's criminal justice system to date.

A key area for us is the need for effective parliamentary scrutiny and oversight to hold government to account for its policies and actions in UK-EU relations, and from the aspect of our committee's remit, how the Scottish and UK governments' work together in advance of the review of the TCA. And how the UK Government ensures the needs of Scotland's unique criminal justice system are addressed in negotiations with the EU on the TCA.

We have, therefore, written to the Home Secretary and the Lord Chancellor and Secretary of State for Justice highlighting various issues of concern to us in terms of the interests of the Scottish criminal justice system in the forthcoming review of the Trade and Cooperation Agreement in 2026. We wish to draw this letter to your attention in terms of your respective scrutiny function.

We also note that, at present, there is no representation of the Scottish Parliament in the UK-EU Parliamentary Partnership Assembly (PPA). We fear this may hinder the representation of Scottish interests in parliamentary scrutiny of UK Government action in this area, as criminal justice matters are devolved to the Scottish Parliament and Government.

The Criminal Justice Committee has also written in similar terms to the Cabinet Secretary for Justice and Home Affairs in the Scottish Government, the Lord Advocate, the Chief Constable of Police Scotland and the Chair of the Lords Select Committee on European Affairs.

All of these letters are available on the Committee website.<sup>1</sup> Any responses received will also be published in due course.

We would be pleased to liaise with your respective committees on any scrutiny work you may undertake in advance of the 2026 review of the TCA

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Audrey N: cjh'.

**Audrey Nicoll MSP**  
**Convener**

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<sup>1</sup> Correspondence is available on the Committee's Inquiry webpage: <https://www.parliament.scot/chamber-and-committees/committees/current-and-previous-committees/session-6-criminal-justice-committee/business-items/research-on-impact-of-brexit-on-law-enforcement>