



The Scottish Parliament
Pàrlamaid na h-Alba

Criminal Justice Committee

The Lord Ricketts GCMG GCVO
Chair
Lords Select Committee on European Affairs

Via email only

28 May 2025

Dear Lord Ricketts

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 Chair of the Lords Select Committee on European Affairs, and as Vice-Chair of the UK-EU Parliamentary Partnership Assembly.

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.

We are aware your committee is, at present, undertaking an inquiry into the UK-EU Reset, and I wished to bring to your attention the work of the Criminal Justice

Committee in looking to map the specific interests of the Scottish criminal justice system in the UK-EU policing and justice relationship.

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.

Therefore, we welcome your inquiry into the UK-EU relationship. However, we have noted 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. Your committee may wish to consider this problem as part of your inquiry.

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, the Home Secretary, the Lord Chancellor and Secretary of State for Justice, as well as the chairs of the House of Commons Home Affairs Committee and Justice Committee.

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

Yours sincerely,

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

Audrey Nicoll MSP
Convener

¹ 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>