



House of Commons
Justice Committee

**The implications of
Brexit for the Crown
Dependencies:
Government Response
to the Committee's
Tenth Report of Session
2016–17**

First Special Report of Session 2017–19

*Ordered by the House of Commons
to be printed 11 October 2017*

Justice Committee

The Justice Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Ministry of Justice and its associated public bodies (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments, and excluding the work of the Scotland and Wales Offices and of the Advocate General for Scotland); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

Current membership

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Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No. 152. These are available on the internet via www.parliament.uk.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/justicecttee and in print by Order of the House.

Committee staff

The current staff of the Committee are Nick Walker (Clerk), Danielle Nash (Second Clerk), Gemma Buckland (Senior Committee Specialist), Nony Ardill (Legal Specialist), Christine Randall (Senior Committee Assistant, and Liz Parratt (Committee Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Justice Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 8196; the Committee's email address is justicecom@parliament.uk.

First Special Report

We have received the Government's Response to the previous Justice Committee's Tenth Report of Session 2016–17, *The implications of Brexit for the Crown Dependencies*, HC 752. The response came in a letter dated 14 September to the Chair of the Committee from Rt Hon David Lidington MP, Lord Chancellor and Secretary of State for Justice. We publish this letter as an Appendix to this Special Report.

Appendix: Government Response

I am writing to thank you for the work of the Justice Select Committee in producing its tenth report of session 2016–17, '*The Implications of Brexit for the Crown Dependencies*', published on 28 March 2017. As Secretary of State and Minister with overall responsibility for the UK's relationship with the Crown Dependencies, I hope you will accept this letter as the Government's response to your report.

The bond between the United Kingdom and the Crown Dependencies is an important and historic one. I am encouraged by the strong working relationship between the UK Government and the Islands that has been particularly evident during preparations for our negotiations with the EU. The Ministry of Justice (MoJ) has maintained broad oversight of discussions between other UK Government Departments and the Governments of the Crown Dependencies, and I am pleased to hear from all parties that these discussions have generally been positive and constructive.

As the Committee notes, the Crown Dependencies' formal relationship with the EU will end when the UK ceases to be a member. However, this does not affect the longstanding constitutional relationship between the Crown Dependencies and the UK. The UK Government has no plans to propose any changes to the constitutional relationship and I am happy to affirm our commitment to maintaining and strengthening our longstanding bond with each of the Crown Dependencies.

I acknowledge the Committee's question around how the UK might manage a situation where the interests of the UK and the Crown Dependencies fundamentally differ. One of the responsibilities of the Ministry of Justice, as part of our role in managing the relationship between the UK and the Crown Dependencies, is to ensure that the Crown Dependencies' interests are understood and taken into account across Whitehall. The MoJ, along with the Department for Exiting the European Union, has worked with other UK Government departments—including the Department for Environment, Food and Rural Affairs, the Department for International Trade, the Cabinet Office and HM Treasury—since the EU referendum, to facilitate direct contact between those Departments and the Crown Dependencies and to ensure that the implications of EU Exit for the Crown Dependencies are taken into account. Official-level roundtables are being held on financial services, trade, agriculture and fishing, the Common Travel Area and customs. The Parliamentary Under Secretary of State for Exiting the European Union has also chaired regular meetings with the Chief Ministers of Jersey, Guernsey and the Isle of Man and will continue to do so as we enter the next phase of the Exit process.

The Ministry of Justice will continue to work across Government to make sure the Crown Dependencies (both individually and collectively) and their interests are taken into account as the UK develops policy. The Ministry of Justice will make representations on behalf of the Crown Dependencies and continue to facilitate discussions between HM Government and the Crown Dependencies, on all issues, including work in the context of EU Exit.

The UK Government and each of the Crown Dependencies signed an International Identity Framework Agreement in 2007–2008. In these agreements, the UK committed that it will not act internationally on behalf of a Crown Dependency without prior consultation and that, where the interests of a Crown Dependency differ from those of the UK, the UK will seek to represent those interests when acting in an international capacity. The framework agreements also affirm that the Crown Dependencies and the UK will work together to resolve or clarify any differences which may arise between their respective interests. The UK Government will continue to honour these agreements and we are committed to getting the best possible deal for all British jurisdictions when we leave the EU.

You also recommended that the Ministry of Justice reports back to you, by March 2018, on progress on the Crown Dependencies' most time-sensitive priorities. I can assure you that the Ministry of Justice will write to the Committee in early 2018 to provide a status update on discussions around these issues. We may be limited in what we can share at that time due to ongoing negotiations, but we will provide as substantive an update as possible without prejudicing exit negotiations or pre-empting their conclusion.