

# Bar Council Calls for Consultation on Government Plans to Opt Out of EU Criminal Justice Measures

5 October 2012

The Bar Council, which represents barristers in England and Wales, has called on the Government to issue a full public consultation on its proposals to opt out of more than 130 EU criminal justice measures, including the European Arrest Warrant.

The Government has until May 2014 to notify the European Commission of any decision to opt out of all of the police and criminal justice measures adopted under the Treaty of Maastricht. Speaking during a trade visit to Brazil last week, it was reported by the BBC that the Prime Minister, David Cameron, indicated that the Government intended to exercise its opt out powers before the end of the year.

**Michael Todd QC, Chairman of the Bar Council, said:**

"Those who advocate an opt out of EU criminal justice measures assume that it will remove the UK from the scope of EU criminal justice, and that it may save money. But the UK's opt out can only relate to measures established before the Treaty of Lisbon came into force in 2009. This is a recipe for confusion and greater costs.

"The loss of these measures, including the European Arrest Warrant, would directly threaten law and order in the UK. Many important practical considerations involved in the fight against cross-border crime would mean that the UK would almost certainly need to seek to opt back into them.

"The implications of the UK's opt out from EU criminal justice need to be considered very carefully, and should be subject to a full public consultation, so that the impact of any policy changes can be assessed properly. There is more than enough time to do this.

"We share the concerns which have been raised by the Law Society and others about the Government's plans, and we will be exploring this issue at the Annual Bar Conference next month."

## ENDS

### Notes to editors:

1. Further information from the [Bar Council Press Office](#) on 020 7222 2525
2. The Annual Bar Conference will be held in London on 10 November 2012. The programme includes a workshop jointly organised by the Bar Council's EU Law Committee, the European Circuit and the Bar European Group, which will consider the impact of a UK opt out from pre-Lisbon criminal measures (in particular the European Arrest Warrant). The panellists include Professor John Spencer, Co-Director of the Centre for European Legal Studies, University of Cambridge, whose report, *Opt out and suffer the consequences*, published on 14 September, is available at [www.cels.law.cam.ac.uk](http://www.cels.law.cam.ac.uk) . Please click [here](#) to access the 2012 Annual Bar Conference programme.
3. The [Bar Council](#) represents barristers in England and Wales. It promotes:
  - The Bar's high quality specialist advocacy and advisory services
  - Fair access to justice for all
  - The highest standards of ethics, equality and diversity across the profession, and
  - The development of business opportunities for barristers at home and abroad.

The General Council of the Bar is the Approved Regulator of the Bar of England and Wales. It discharges its regulatory functions through the independent [Bar Standards Board](#) .