

# UK OPT-OUT FROM EU CRIMINAL JUSTICE MEASURES COULD HANDICAP FIGHT AGAINST CROSS-BORDER CRIME, SAY LAW SOCIETIES

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The Law Societies of England and Wales, of Scotland and of Northern Ireland were today united in a call for a full and open consultation on whether the UK should opt out of over 130 EU criminal justice measures, including the European Arrest Warrant. This follows a statement last week by the Prime Minister, David Cameron, implying that the “opt-out” will be exercised, despite there having been no public consultation of lawyers and others affected.



Law Society of England and Wales President, Lucy Scott-Moncrieff, said: “A decision to remove the UK from so many EU criminal justice measures, most of which are procedural and promote practical co-operation between EU Member States in fighting cross-border crime, could have far-reaching implications. Yet this decision seems to be about to be taken without any significant public debate, consultation or impact assessment. Under the treaties, the UK is not obliged to indicate its decision until June 2014, so I urge the UK Government to engage with practitioners in an open and transparent consultation process.”

Law Society of Scotland President, Austin Lafferty, said: “A wholesale opt-out could have very serious consequences in fighting cross-border crime from both a practical and cost perspective. Such a decision should not be taken before a thorough consideration of the implications, with input from the experts, who are certainly not all working in Government. Even if the UK is able to “opt back in” to some measures, this is likely to lead to confusion, complexity and cost. This important decision should not be seen as a totemic pro/anti EU issue. It should be taken on its own merits, based on practical experience and objective information.”

Law Society of Northern Ireland President, Imelda McMillan, said: “There have been consultations on individual EU criminal justice instruments in the past. Failure of Government to consult publicly on this very important decision would be a serious oversight and would raise significant concerns in the legal profession – at home and across Europe.”

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