The Brussels Office Law Reform Update Series:

Judicial Co-operation in Criminal Matters

August 2014

The Law Societies' Joint Brussels Office
85 Avenue des Nerviens
B-1040 Brussels, Belgium

Tel: (+32) 2 743 85 85
Fax: (+32) 2 743 85 86
Brussels@lawsociety.org.uk

If you receive this Update from a source other than the Law Societies or their Brussels office, please subscribe directly by emailing Brussels@lawsociety.org.uk Reproduction is authorised, provided the Law Societies' Joint Brussels Office is acknowledged.
WHAT’S NEW

The EU Justice Agenda for 2020

The end of 2014 will mark a turning point in the development of EU Justice policy with the conclusion of the European Council's five-year Stockholm Programme. As a result, in March 2014, the European Commission published its EU Justice Agenda for 2020 which focuses on the challenges of 'Strengthening Trust, Mobility and Growth within the Union'.

The publication of the Agenda followed the Assises de la Justice Conference organised by DG Justice in November 2014, which focussed on the question: "What will EU justice policy look like in 2020?". The Commission presented a paper on criminal law along with 5 other papers on justice issues and the EU. The paper presented ideas and questions for possible actions in EU justice policy in the years to come.

The EU Justice Agenda highlights the EU's progress to date with regard to developing a European area of Justice by enhancing mutual trust between the Member States' Justice systems, contributing to economic growth, making Justice straightforward for citizens and protecting fundamental rights.

The Commission proposes to address the continuing challenges by consolidating, codifying and complementing the progress already achieved. With regard to strengthening mutual trust in criminal matters, the Commission aims to ensure that "citizens, legal practitioners and judges are able to fully trust judicial decisions irrespective of the Member State where they have been taken."

The EU Justice Agenda for 2020 will also examine the possibility to codify certain areas of criminal law. EU legislation relating to procedural rights is contained in a number of different legislative instruments that have been developed on a step by step basis. The Commission will therefore examine the need for codifying criminal procedural rights into one instrument.

Strategic Guidelines within the area of freedom, security and justice for the next five years

In addition to the Commission publishing the EU Justice Agenda for 2020, the European Council adopted in June 2014 the new "Strategic Guidelines for Legislative and Operational Planning for the coming years within the EU's Area of Freedom, Security and Justice". Building on past programmes, including the last five-year Stockholm Programme, the overall priority is to "consistently transpose, effectively implement and consolidate" legal instruments and policy measures already in place.

The importance of a smooth functioning of an EU area of justice that respects different Member State legal systems and traditions has been emphasised by the European Council. In the area of criminal justice, the European Council called on further action to be taken in the following years in order to:

- Promote the consistency and clarity of EU legislation for citizens and businesses;
- Simplify access to justice including promoting effective remedies and the use of e-justice;
- Continue efforts to strengthen the rights of accused and suspect persons in criminal proceedings;
- Reinforce the protection of victims;
- Enhance mutual recognition of decisions in criminal matters;
• Reinforce exchanges of information between the authorities of the Member States;
• Fight fraudulent behaviour and damages to the EU budget, including by advancing negotiations on the European Public Prosecutor's Office;
• Facilitate cross-border activities and operational cooperation.

In developing the area of freedom, security and justice over the next years, the Council also recognised the need for the EU to ensure the protection and promotion of fundamental rights, including data protection. To do so, the Council called for the adoption of a strong EU General Data Protection framework by 2015.

In order to ensure that the guidelines are correctly implemented, the EU Institutions and the Member States were called upon to guarantee appropriate legislative and operational follow up of the guidelines, with a mid-term review to be held in 2017.

**Procedural Rights**

The procedural rights package has progressed steadily since it was published by the Commission on 27 November 2013. The Committee on Civil Liberties, Justice and Home Affairs (LIBE) has been appointed as the Committee responsible for the 3 Directives - the Directive on procedural safeguards for children suspected or accused in criminal proceedings, the Directive on provisional legal aid for suspects or accused persons deprived of liberty and legal aid in European arrest warrant proceedings and the Directive strengthening certain aspects of the presumption of innocence and of the right to be present at trial.

It is anticipated that the new Parliament will continue their work on the Directives in September 2014 following the appointment of new rapporteurs for the procedural files in the LIBE Committee.

**The European Public Prosecutor’s Office (EPPO)**

The Parliament adopted LIBE’s interim report on 12 March 2014 on the proposal for a Council regulation on the establishment of the EPPO. The aim of this report is to draw up a number of suggestions and provide specific details relating to the text proposed by the Commission for consideration by the Council.

The proposal for an EPPO needs to be unanimously adopted by Member States in the Council. If unanimity cannot be reached in the Council, the Treaties foresee that a group of at least nine Member States may enter into enhanced cooperation (Article 86 of the Treaty of the Functioning of the European Union [TFEU]). The European Parliament needs to give its consent.

The Council has also been initiating discussions on a first revision of some of the key parts of the Commission proposal. In May 2014, the Council published a state of play document which included a new draft of the first 19 Articles of the proposal. The amendments made by the Council integrated, in particular, the concepts of a Collegial Structure of the EPPO and a concurrent competence of the EPPO and national prosecution services to investigate offences against the financial interests of the Union.

It is expected that progress will continue on this file in the Autumn.

**Freezing and Confiscation of Proceeds of Crime**

Directive 2014/42/EU on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union was adopted on 3 April 2014. The aim of the
Directive is to make it easier for national authorities to confiscate and recover the profits made by criminals from cross-border and organised crime. The Directive provides for more possibilities for the confiscation of proceeds of crime in case of flight of the person concerned or illness. It also provides for rules on extended powers of confiscation, making confiscation easier when a judge is convinced that the property had been obtained through crime.

The UK has opted out of this Directive and it remains to be seen how this decision will impact cross-border cases in the future. Member States have two and a half years to transpose the Directive.

**Data Protection**

On 12 March 2014, the European Parliament adopted an amended text of the Commission's proposed Directive on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data.

The Commission's proposal is currently being debated in the Council.

**The European Arrest Warrant (EAW)**

On 27 February 2014 the European Parliament requested that the Commission review the European Arrest Warrant with the aim of submitting legislative proposals within a year.

The Parliament acknowledged the EAW in its current format fails to explicitly include fundamental rights safeguards or a proportionality check. It noted the inconsistent implementation of the EAW partly due to the incomplete and unbalanced development of the Union area of criminal justice. The resolution set out a number of recommended areas of improvement including re-considering the definitions or serious crimes, limiting the use of the EAW, increasing standards to ensure effective judicial oversight and a system of compensation for miscarriages of justice. Legal aid also continues to be a problem particularly in the executing state. The Parliament suggested inclusion of a proportionality check when issuing mutual recognition decisions, a mandatory refusal ground when the execution would be incompatible with Article 6 of the TEU and the Charter and a right of appeal.

**The UK’s 2014 opt-out Decision**

The UK published the list of measures to which it will opt into after exercising its right under Protocol 36 of the Treaty on the functioning of the European Union (Lisbon Treaty). Both Houses of Parliament have voted in favour of exercising the opt-out. Following the publication of the list of 35 measures that the Government would seek to rejoin, debates are currently ongoing in the Council on this matter.
BACKGROUND

Introduction

The creation of an “area of freedom, security and justice” is a key objective of the European Union. Every five years, a programme is agreed by the Member States concerning the developments that they would like to see in this field. On 11 December 2009,1 the European Council adopted the Stockholm Programme.2

Treaty on the Functioning of the European Union ("Treaty of Lisbon")

The Treaty of Lisbon entered into force on 1 December 2009.3 The Treaty provides for the sharing of decision-making power between the Parliament and Council in the field of judicial co-operation in criminal matters, thus consigning the unanimity procedure to the history books. Judicial cooperation in criminal matters is provided for in Articles 82 to 86 TFEU. A Member State can also apply an emergency brake if it feels that the measures proposed will affect fundamental aspects of its criminal justice system.

Under the Treaty, the UK can decide whether to opt in to a piece of legislation (Protocol 21) and was also given the right to decide whether to opt out of measures agreed prior to the Treaty (Protocol 36).

The Treaty underlines the principle of mutual recognition.

European Parliament

The European Parliament committees concerned with criminal law are the Civil Liberties, Justice and Home Affairs (LIBE) Committee, whose Chair is Claude Moraes MEP (United Kingdom, S&D), and the Legal Affairs (JURI) Committee, whose Chair is Pavel Svoboda MEP (Czech Republic, EPP).

The Commission

On 9 February 2010, the new European Commission was formally appointed.4 Martine Reicherts (Luxembourg) is the Commissioner for Justice, Fundamental Rights and Citizenship and Cecilia Malmström (Sweden) is the Commissioner for Home Affairs. Ms Reicherts replaced Vice-President Viviane Reding as Justice Commission in July 2014 following her election to the European Parliament.

The Presidency of the EU

On 1 July 2014, Italy took over the presidency of the Council. The 2014/2015 trio of Council Presidencies (Italy, Latvia and Luxembourg) have a general work programme5 The Italian Presidency has also produced a Presidency Programme6. The Italian Presidency will focus on removing obstacles and procedures that European citizens face when exercising their free movement rights. To make Europe closer to its citizens, focus will be placed on "accountability, digitalisation, transparency and less red tape". The EU will be required to play a more active role in areas where EU initiative adds value such as the protection of fundamental rights.

6 Available at http://italia2014.eu/media/1349/programma_en1_def.pdf
Contents Page

WHAT’S NEW .........................................................................................................................2

Proposal .................................................................................................................................7

1. Procedural Safeguards for Suspects and Defendants in Criminal Proceedings ........7
2. Victims’ rights in criminal proceedings .................................................................10
3. European Arrest Warrant (EAW) ............................................................................10
4. European Investigation Order ...............................................................................10
5. European Police Office (Europol) .........................................................................11
6. Eurojust .......................................................................................................................11
7. European Public Prosecutor’s Office (EPPO) .......................................................12
8. Strengthening the protection of the financial interests of the EU .......................12
9. Sexual Exploitation of Children .............................................................................13
10. Human trafficking ....................................................................................................13
11. European Protection Order .....................................................................................13
12. Protection of Personal Data .....................................................................................14
13. Freezing and confiscation of proceeds of crime ..................................................14
15. Strengthening mutual trust in the area of detention .............................................15
16. Drug trafficking .........................................................................................................15
17. Development of EU criminal policy ......................................................................15
18. UK opt-out of pre-Lisbon EU criminal justice and police measures ..................16
<table>
<thead>
<tr>
<th>Proposal</th>
<th>Summary</th>
<th>State of Play/Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Initiative on right to information in criminal proceedings (letter of rights).</td>
<td>• Commission proposal for a Directive on the right to information in criminal proceedings, 20 July 2010.&lt;br&gt;• UK opted in to proposal October 2010.&lt;br&gt;• Council agreement on text, 2 December 2010.&lt;br&gt;• General approach agreed in Council, 2 December 2010.&lt;br&gt;• European Parliament report, 13 December 2011.&lt;br&gt;• Council adopts Directive at first reading, 26 April 2012.&lt;br&gt;• <strong>Directive 2012/13/EU</strong> on the right to information in criminal proceedings published in Official Journal, 1 June 2012.&lt;br&gt;• Directive to be implemented in all Member States by 2 June 2014.</td>
</tr>
<tr>
<td></td>
<td>Initiative on the right of access to a lawyer in criminal proceedings and the right to communicate upon arrest.</td>
<td>• Study launched by the Commission into EU Procedural Rights in Criminal Proceedings. Carried out by Professors Taru Spronken (University of Maastricht) and Gert Vermeulen (Ghent University) and <strong>published</strong>, 8 September 2009.&lt;br&gt;• Commission proposal for a Directive on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest, 8 June 2011.&lt;br&gt;• Law Society of England and Wales published response to Ministry of Justice discussion paper on EU proposal, 13 July 2011.&lt;br&gt;• UK decided not to opt-in to proposal, 14 September 2011.</td>
</tr>
<tr>
<td>Proposal</td>
<td>Summary</td>
<td>State of Play/Next Steps</td>
</tr>
<tr>
<td>----------</td>
<td>---------</td>
<td>-------------------------</td>
</tr>
</tbody>
</table>
| | • Council agree to a [general approach](#) on a draft Directive on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest, 7 and 8 June 2012.  
• [Council agreement](#) on text, 4 June 2013.  
• LIBE vote in favour, 20 June 2013.  
• [Directive 2013/48/EU](#) on the right of access to a lawyer in criminal proceedings and the right to communicate upon arrest published in Official Journal, 6 November 2013.  
• The Directive is to be implemented by 27 November 2016.  
• The UK has not opted into Directive 2013/48/EU | |
| Initiative to strengthen the presumption of innocence and the right to present at trial in criminal proceedings. | • [Commission Work Programme 2013](#) provides for proposal to strengthen the presumption of innocence in criminal proceedings, November 2013.  
• Commission [proposal](#) for a Directive on the strengthening of certain aspects of the presumption of innocence and the right to be present at trial in criminal proceedings, 27 November 2013  
• On 10 February 2014, the UK House of Commons adopted a [Reasoned Opinion](#) on the proposal.  
• LIBE committee referral, 13 January 2014  
• UK announces decision to not exercise opt in, March 2014  
• Appointment of new European Parliament rapporteur expected in September 2014 | |
| Initiative on minimum standards for legal aid in criminal proceedings | • [Commission's work programme](#) listed for 2013 an initiative to define common minimum standards to ensure that suspects and accused persons in criminal proceedings are entitled to legal aid between the charge and the end of the trial in criminal proceedings.  
• [Commission Implementation Plan](#), 27 November 2013.  
• Commission [Proposal](#) for a Directive on provisional legal aid for suspects of accused persons deprived of liberty and legal aid in European Arrest Warrant proceedings, 27 November 2013  
• LIBE committee referral, 13 January 2014 | |
<table>
<thead>
<tr>
<th>Proposal</th>
<th>Summary</th>
<th>State of Play/Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>• UK announces decision to not exercise opt in, March 2014</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Commission Recommendation on the right to legal aid for suspects or accused in criminal proceedings, 27 November 2013.</td>
</tr>
<tr>
<td>Initiative to provide protection for children and other vulnerable groups</td>
<td></td>
<td>• Commission Proposal for a Directive on procedural safeguards for children suspected or accused in criminal proceedings, 27 November 2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Commission Impact Assessment, 27 November 2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• LIBE committee referral, 13 January 2014</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• UK announces decision to not exercise opt in, March 2014</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Debate in Council, 3 June 2014</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Commission Recommendation on procedural safeguards for vulnerable persons suspected or accused in criminal proceedings, 27 November 2013.</td>
</tr>
<tr>
<td>Proposal</td>
<td>Summary</td>
<td>State of Play/Next Steps</td>
</tr>
<tr>
<td>----------</td>
<td>---------</td>
<td>--------------------------</td>
</tr>
</tbody>
</table>
- UK opted-in to proposal on 26 August 2011.  
- Council adopted a general approach on 14 December 2011.  
- European Parliament [report](#) adopted at plenary session, 12 September 2012  
- Member States are required to implement the Directive by 16 November 2015. |
| 3. European Arrest Warrant (EAW) | Ongoing review of the functioning of the EAW. | - [Framework Decision 2002/584/JHA](#) on the EAW and the surrender procedures between Member States.  
- In force and [implemented](#) in the UK by the Extradition Act 2003.  
- UK Home Office review of UK extradition proceedings, including the EAW, 7 September 2010. [Report](#) delivered, 30 September 2011.  
- [EAW Implementation Report](#), 11 April 2011. Accompanied by [Staff Working Document](#).  
- Preparation of [own-initiative report](#) in LIBE on the Review of the EAW.  
- UK Home Secretary announces possible changes to the Extradition Act 2003, 15 July 2013.  
- [LIBE](#) produced a [draft report](#) and [amendments](#), December 2013.  
- UK Government announced it would opt-in to the proposed Directive 27 July 2010.  
- On 14 March 2014 the Directive was adopted by the Council after Parliament’s first reading. |
<table>
<thead>
<tr>
<th>Proposal</th>
<th>Summary</th>
<th>State of Play/Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>- <strong>Council Decision 2009/371</strong> establishing the European Police Office (Europol)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Europol and Eurojust sign cooperation agreement, 1 October 2009.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- LIBE opinion, 15 October 2013.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- LIBE vote in favour, 30 January 2014.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Report debated in Council, 3 March 2014</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Europol and Eurojust signed cooperation agreement, 1 October 2009.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Commission Communication on better protection of the Union's financial interests: Setting up the EPPO and reforming Eurojust, 17 July 2013.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Council debate of Commission proposal, 5/6 June 2014. The UK will not opt in to this proposal.</td>
</tr>
<tr>
<td>Proposal</td>
<td>Summary</td>
<td>State of Play/Next Steps</td>
</tr>
<tr>
<td>----------</td>
<td>---------</td>
<td>-------------------------</td>
</tr>
</tbody>
</table>
• Commission [Communication](#) on better protection of the Union's financial interests: Setting up the EPPO and reforming Eurojust, 17 July 2013.  
• Commission proposal for a Regulation on the establishment of the EPPO, 17 July 2013.  
• UK adopted a [reasoned opinion](#) regarding the principle of subsidiarity, 22 October 2013.  
• Commission Communication on the review of the proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office with regard to the principle of subsidiarity, in accordance with Protocol No 2, 27 November 2013  
• LIBE produced an [interim report](#) on 24 February 2014 which is tabled for plenary.  
• Debated by Parliament, 11 March 2014.  
• Interim [Report](#) adopted by Parliament, 12 March 2014  
• [State of play](#) report published in Council, 21 May 2014 |
| 8. Strengthening the protection of the financial interests of the EU | Initiative for a Directive on the fight against fraud to the EU's financial interests by means of criminal law | • [Communication](#) on protection of the financial interest of the EU, including by means of criminal law, 26 May 2011.  
• European Commission [proposal](#) for a Directive on the fight against fraud to the EU's financial interests by means of criminal law, 11 July 2012.  
• General Approach in Council, 10 June 2013  
• JURI [opinion](#), 6 November 2013.  
• Joint (LIBE) and Committee of Budgetary Control (CONT) [draft report](#), 18 December 2013.  
• The European Parliament adopted its [Report](#) on 3 April 2014 on protection of EU financial interests - fight against fraud. |
<table>
<thead>
<tr>
<th>Proposal</th>
<th>Summary</th>
<th>State of Play/Next Steps</th>
</tr>
</thead>
</table>
• Council reached general agreement on proposal on 2 December 2010.  
• European Parliament report adopted at plenary session on 27 October 2011.  
• Council adopted proposal on 15 November 2011.  
• Member States were required to implement the Directive by 18 December 2013. The UK opted-in to this Directive |
• Council agreement on text 2-3 December 2010.  
• Commission Decision on setting up the Group of Experts on Trafficking in Human Beings, 10 August 2011.  
• European Commission adopts Communication on a Strategy for the eradication of human trafficking, 19 June 2012. |
• Explanatory Memorandum, detailed statement and corrigendum, 6 January 2009.  
• Initial proposal, 22 January 2010.  
• On 30 March 2010 the UK Government opted in to this Directive.  
• Council reached agreement on proposal, 23 September 2011.  
• Member States are required to implement the Directive by 11 January 2015. |
<table>
<thead>
<tr>
<th>Proposal</th>
<th>Summary</th>
<th>State of Play/Next Steps</th>
</tr>
</thead>
</table>
| 12. Protection of Personal Data                   | Initiative for a Directive on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data                                                                 | • Framework Decision 2008/977/JHA on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters, 27 November 2008.  
• Commission Communication on a strategy on data protection, 4 November 2010.  
• Council adopts conclusions, 24 February 2011.  
• Commission published its proposal for Directive on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data, 25 January 2012.  
• LIBE following the initiative and produced a report, 22 November 2013.  
• Debate in Council, 5 June 2014.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
• LIBE’s report has been tabled for the European Parliament’s plenary, 20 May 2013.  
• Awaiting publication in the Official Journal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 14. Market Abuse Directive and Regulation         | Initiative to harmonise EU rules on insider dealing and market manipulation                                                                                                                                                                                      | • Commission published proposed Directive on criminal sanctions for insider dealing and market manipulation (MAD) and a Regulation on insider dealing and market manipulation (market abuse) (MAR), 20 October 2011.  
• ECON Committee adopts its report on MAD, 19 October 2012, and its report on MAR, 22 October 2012.  
• Council agreed position with the European Parliament on MAR, 26 June 2013. Negotiations are continuing on MAD.  
• European Parliament adopts text on MAD, 10 September 2013 (provisional edition).  
• European Parliament adopts text on MAD, 4 February 2014 (provisional text).  
<table>
<thead>
<tr>
<th>Proposal</th>
<th>Summary</th>
<th>State of Play/Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>15. Strengthening mutual trust in the area of detention</td>
<td>Examination of how to strengthen mutual trust and render the principle of mutual recognition in the area of detention more efficient.</td>
<td>• The European Commission published a Green Paper on the application of EU criminal justice legislation in the field of detention – Strengthening mutual trust in the European judicial area, 14 June 2011.</td>
</tr>
<tr>
<td>17. Development of EU criminal policy</td>
<td>Setting out the criminal policy aims and scope in the current legal framework.</td>
<td>• European Commission Communication Towards an EU Criminal Policy: Ensuring the effective implementation of EU policies through criminal law, 20 September 2011. • European Parliament adopted report on an EU approach to criminal law, 22 May 2012. • Commission gathers high-level experts at an inaugural meeting to discuss developing a coherent EU Criminal Policy in line with Fundamental Rights, 19 June 2012. • Commission published a Paper on Criminal Law in advance of the Assises de la Justice debate in Brussels on 21 and 22 November 2013. • Commission published a communication for the Council and the Parliament on a new EU Framework to Strengthen the Rule of Law, 11 March 2014. • Commission published a Communication on the EU Justice Agenda for 2020 to the Council, Parliament, Economic and Social Committee and the Committee of the Regions, 11 March 2014. • Council Conclusions on Strategic Guidelines for Legislative and Operational Planning for the coming years within the EU's Area of Freedom, Security and Justice, 27 June 2014</td>
</tr>
</tbody>
</table>
**Proposal** | **Summary** | **State of Play/Next Steps**
---|---|---
18. UK opt-out of pre-Lisbon EU criminal justice and police measures | Under Protocol 36 of the Treaty of Lisbon, the UK has the right to opt-out of EU criminal justice and police measures concluded prior to the conclusion of that treaty. It may request to re-join certain measures subject to negotiation. | - UK Home Secretary explains to UK Parliament that the UK Government is ‘minded’ to exercise the opt-out, 15 October 2012.
- Law Societies of England and Wales and of Scotland provide input to the EU Select Committee inquiry of the House of Lords, December 2012. (The Societies do not support the exercise of the opt out.)
- Members of Parliament in the House of Commons approved the Government plan to opt out, 15 July 2012.
- Home Secretary presents Government's position to Parliament, 9 July 2013.
- Negotiations ongoing in the Council on final list of measures to be opted back into.

*If you would like to receive our monthly e-bulletin, the Brussels Agenda, please email brussels@lawsociety.org.uk*

Emilie Balbirnie, EU Justice Policy Advisor