



Home Office

Home Secretary

2 Marsham Street
London SW1P 4DF

www.homeoffice.gov.uk

Rt Hon Sir Malcolm Rifkind MP
Chair, Intelligence and Security
Committee
35 Great Smith Street
London
SW1P 3BQ

Rt Hon Keith Vaz MP
Chair, Home Affairs Select
Committee
House of Commons
7 Millbank
London
SW1P 3JA

19th September 2014

Dear Sir Malcolm and Keith,

Appointment of Sir Nigel Sheinwald, Special Envoy

During the passage of the Data Retention and Investigatory Powers Act, I told the House about the Government's intention to appoint a senior former diplomat to lead discussions with other governments on how we share data for law enforcement and intelligence purposes.

I am pleased to confirm that Sir Nigel Sheinwald has now been appointed by the Prime Minister as Special Envoy on intelligence and law enforcement data sharing. Sir Nigel's overarching objective is to lead discussions with governments, other key international partners and Communications Service Providers (CSPs) on ways to improve the access and sharing of law enforcement and intelligence data in different jurisdictions. He will undertake his first visit to the US to progress this next week.

I enclose Sir Nigel's Terms of Reference with this letter. I am very grateful to Sir Nigel for taking on this important role, and am confident that he is very well placed to be able to present the Government with some workable options – both short and longer term - to consider. He will report to the Prime Minister and Deputy Prime Minister, working through the Cabinet Secretary.

I am placing a copy of this letter in the House Library.

The Rt. Hon Theresa May MP

Terms of Reference for the Special Envoy

Sir Nigel Sheinwald - Special Envoy

The Prime Minister has appointed Sir Nigel Sheinwald, a former senior member of HM Diplomatic Service and Ambassador to the United States from 2007 to 2012, as Special Envoy on intelligence and law enforcement data sharing. This role was prefigured during the passage of the Data Retention and Investigatory Powers Act in July.

Sir Nigel will lead discussions with the US Government, other key international partners and the Communications Service Providers (CSPs) on ways to improve the accessing of this data in different jurisdictions. He will seek to:

- Identify ways to take forward the British Government's relationships with the CSPs and ensure that the British Government's work in this area is coherent with its broader relationships with the CSPs, and vice versa.
- Explore how new formal US/UK arrangements could improve data access for the UK agencies.
- Work with the US Government and CSPs on a range of options for strengthening arrangements and ensuring reliable access, e.g. through Mutual Legal Assistance Treaty systems, other legal or political frameworks or remedies, better arrangements for direct requests from the UK agencies to the companies which hold the data, or other means.
- Consider wider international arrangements in this area
- Ensure that any new arrangements observe the requirement that data is requested and provided only where necessary and proportionate for the purposes of national security and the prevention or detection of serious crime.