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Dear Richard,

**Policing and Crime Bill: maritime powers**

During Committee stage on Wednesday 2 November, I undertook to write to you to explain the Government's position on the use of maritime powers, particularly in relation to clause 86 and the UK's international obligations concerning refugees (Hansard, column 728-729).

You expressed concern about clause 86 making provision for ships interdicted in the territorial waters to be diverted to a port 'elsewhere' than in England and Wales, and wondered whether this could allow enforcement officers to override the rights of those in need of international protections. I would first like to reiterate that whilst the term 'elsewhere' in clause 86 does include ports in foreign countries, the reason for this provision is that maritime powers can be exercised in international and foreign waters all over the globe. It is a practical and operational necessity that those exercising these powers can lawfully divert a ship to a port, and detain it there, where the operation in question takes place hundreds or thousands of miles away from England and Wales.

Secondly, as I explained to the Committee, the maritime provisions of the Bill are strictly intended to enable enforcement officers to prevent, detect, investigate and prosecute offences under the law of England and Wales, or the law of Scotland, as the case may be. These powers are not intended to be and neither will they be used in a way that is contrary to the Human Rights Act 1998, the 1951 Refugee Convention or the 1967 Protocol.

The UK is committed to upholding its international obligations and I trust this allays your concerns.

I am copying this letter to Lord Kennedy, Lord Paddick, Baroness Hamwee and Lord Harris of Haringey and will place a copy in the House Library.

With best wishes

Pashy.

**BARONESS CHISHOLM OF OWLPEN**

Lord Rosser  
House of Lords