



LEADER OF THE HOUSE OF LORDS

The Rt Hon. the Lord Hope of Craighead KT
House of Lords

Our ref: LHOL/PEER034

Dear David

4/11 April 2018

March European Council statement follow-up

I am writing to follow up on your question, which Lord Thomas of Gresford followed up, during my repeat of the Prime Minister's statement on the March European Council (HL Deb 26 March, col 698-699).

You asked about the continuing role of the Court of Justice of the EU (CJEU) during the implementation period, specifically on whether consideration has been given as to whether the United Kingdom should continue to have representation on that court after EU Exit.

During the debate I stated that this was a matter to be negotiated. Following agreement of the implementation period at the March European Council on 23 March it has been agreed that the UK will not retain a Judge in the CJEU during the implementation period. When the UK becomes a third country, we will withdraw from the EU Institutions. We will no longer attend the Council, have MEPs, or retain voting rights. However, the UK will maintain the right to intervene in cases before the court and British lawyers maintain their right of audience. This will ensure that UK interests can continue to be represented in the CJEU during the implementation period.

I am copying this letter to the other members who took part in the debate, and I will place a copy in the Library of the House.

Mrs
Natalie

EVANS OF BOWES PARK