



TREATY SERIES 2011
Nº 35

**Agreement between the Government of Ireland and the
Government of the United Kingdom of Great Britain and
Northern Ireland on Co-operation on Criminal Justice
Matters**

Done at Dublin on 1 April 2010

Notifications of the completion of the procedures necessary for the entry into force of
the Agreement exchanged on 2 December 2010
and 14 December 2010

Entered into force on 22 December 2010

Presented to Dáil Éireann by the Minister for Foreign Affairs

**AGREEMENT BETWEEN THE GOVERNMENT OF IRELAND AND THE
GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND ON CO-OPERATION ON CRIMINAL JUSTICE
MATTERS**

The Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland:

Having regard to the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland done at Belfast on 10 April 1998 (“the British-Irish Agreement”) and to the Multi-Party Agreement reached at Belfast on 10 April 1998 annexed to the aforesaid Agreement;

Considering the report of the Review of the Criminal Justice System in Northern Ireland published in March 2000 (“the Criminal Justice Review”), the Justice (Northern Ireland) Act 2002, which enacts certain recommendations of the Criminal Justice Review, and the Criminal Justice Review Updated Implementation Plan published in June 2003;

Taking into account the progress made on co-operation between the relevant agencies in Ireland and in Northern Ireland (“the two jurisdictions”) on policing and security matters;

Taking into account also developments within the European Union in respect of co-operation on criminal justice matters;

Recalling the discussions that took place between the two Governments and the political parties at Hillsborough Castle in March 2003 and the Joint Declaration published by the two Governments on 1st May 2003;

HAVE AGREED as follows:

Article 1

Ministerial Meetings on Criminal Justice Cooperation

1. The Ministers of the Northern Ireland Executive and Government of Ireland responsible for criminal justice matters in the two jurisdictions (hereinafter referred to as “the Ministers”) shall meet at least annually for the purpose of facilitating more effective co-operation and coordination on criminal justice matters, including in combating criminal behaviour, working together in the prevention of crime and on community safety issues, and dealing with offenders after conviction. Such meetings shall be referred to hereinafter as Ministerial Meetings on Criminal Justice Cooperation.

2. The Ministers shall provide periodic reports on the Ministerial Meetings on Criminal Justice Cooperation to their respective Ministerial colleagues in the Northern Ireland Executive and the Government of Ireland.

3. The Ministerial Meetings on Criminal Justice Cooperation shall operate on the basis of the arrangements set out in the Annex, which shall constitute an integral part of this Agreement

Article 2

Working Group on Criminal Justice Cooperation

1. A Working Group on Criminal Justice Cooperation (hereinafter referred to as the “Working Group”) comprising officials from Northern Ireland and Ireland shall meet regularly to support the Ministerial Meetings and to take forward work on progressing the relevant recommendations of the Criminal Justice Review, and to identify other areas in which co-operation on criminal justice matters could be enhanced or initiated, as appropriate.

2. The Working Group shall prepare, seek the agreement of the Ministers to, and implement annual work programmes on co-operation and co-ordination on criminal justice matters. Such work programmes will be published, including in electronic format.

3. The Working Group shall be accountable to the Ministers, and through the Ministers to the Northern Ireland Executive and Government of Ireland, and shall provide reports on progress to the Ministerial Meetings on Criminal Justice Cooperation.

4. The Working Group shall meet at least twice each year and shall operate on the basis of the arrangements set out in the Annex, which shall constitute an integral part of this Agreement.

Article 3

Protocols

1. Where appropriate, written Protocols may be drawn up between relevant criminal justice agencies in Northern Ireland and Ireland addressing detailed aspects of co-operation on criminal justice matters agreed between them.

2. Any such protocols shall be submitted to the Ministers for approval and signature.

3. Such protocols shall not constitute international agreements and shall not have binding effect.

Article 4

Relationship with other international agreements

This Agreement shall not affect the rights and obligations of the Parties under other international agreements.

Article 5
Operation and Review of Agreement

1. This Agreement shall have effect in respect of criminal justice matters to the extent that they are devolved to the Northern Ireland Assembly and the Northern Ireland Departments and Ministers.
2. The parties to this Agreement shall keep the Agreement under review.

Article 6
Entry into Force

Each Government shall notify the other in writing of the completion, so far as it is concerned, of the requirements for entry into force of this Agreement. This Agreement shall enter into force on the date of receipt of the later of the two notifications.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by the respective Governments, have signed this Agreement.

DONE in two originals at Dublin on the 1st day of April 2010.

**FOR THE GOVERNMENT
OF IRELAND**

Dermot Ahern

**FOR THE GOVERNMENT
OF THE UNITED KINGDOM
GREAT BRITAIN AND
NORTHERN IRELAND**

Paul Goggins

ANNEX

ARRANGEMENTS FOR THE OPERATION OF THE MINISTERIAL MEETINGS AND WORKING GROUP MEETINGS ON CRIMINAL JUSTICE CO-OPERATION

Ministerial Meetings on Criminal Justice Cooperation

Terms of Reference

The Ministerial Meetings on Criminal Justice Cooperation shall serve as a forum for the Ministers to:

- discuss criminal justice matters of mutual interest or concern in the two jurisdictions.
- consider the scope for, and develop plans to achieve, more effective co-operation and co-ordination on criminal justice matters between the two jurisdictions.
- oversee and give direction to the work of the Working Group.
- approve and periodically review progress against the annual work programmes on criminal justice co-operation.

Attendance

The Ministers shall be supported at meetings by the Joint Chairmen of the Working Group or their nominated representatives and by such other officials and representatives from Northern Ireland and Ireland as the Ministers may determine. Both sides shall endeavour to maintain a balance in representation between the two jurisdictions and to keep overall numbers at a manageable level.

Secretariat

Officials from the Northern Ireland Department of Justice and officials from the Department of Justice, Equality and Law Reform shall provide administrative support for, and shall produce an agreed record of, all Ministerial Meetings on Criminal Justice Cooperation. Any disagreement about the record of a meeting that cannot be resolved through consultation between the two sides shall be referred to the Joint Chairmen and ultimately to the Ministers.

Working Group on Criminal Justice Cooperation

Terms of Reference

The Ministerial Meetings on Criminal Justice Cooperation shall be supported by a Working Group comprising officials from Northern Ireland and Ireland who shall meet at least twice a year in order to:

- exchange information and discuss criminal justice matters of mutual interest.
- identify and advise on the opportunities for co-operation on criminal justice matters between the devolved administration in Northern Ireland and the Government of Ireland and between the criminal justice agencies in the two jurisdictions, taking account also of the need for effective co-operation with other parts of these islands.
- prepare and submit annual work programmes on co-ordination and co-operation on criminal justice matters between the two jurisdictions for consideration at Ministerial Meetings on Criminal Justice Cooperation, and, where Ministers agree, to take forward the implementation of such programmes.
- take forward consideration of, and where appropriate implement, the recommendations on co-operation in relation to criminal justice matters in the Criminal Justice Review.
- establish and manage projects and initiatives to facilitate and enhance co-operation on criminal justice matters between the two jurisdictions.
- keep under review the effectiveness of the arrangements for facilitating and enhancing co-ordination and co-operation on criminal justice matters between the two jurisdictions, and make appropriate recommendations on these matters to Ministerial Meetings.
- prepare and agree periodic reports for the Ministers on progress in taking forward the Work Programme approved by Ministers.
- prepare and agree reports as appropriate for Ministers to provide to the Northern Ireland Executive and Government of Ireland.

Chairmanship

The Working Group shall be chaired jointly by the Justice Director of the Northern Ireland Department of Justice and the relevant Assistant Secretary from the Department of Justice, Equality and Law Reform, or their nominated representatives.

Meetings of the group shall alternate between Northern Ireland and Ireland. The chairmanship of meetings shall also alternate with their location. The Justice Director of the Northern Ireland Department of Justice shall take the chair when meetings take place in Northern Ireland. The relevant Assistant Secretary from the Department of

Justice, Equality and Law Reform shall take the chair when meetings take place in Ireland.

Membership

Membership of the Working Group shall include such officials and representatives from Northern Ireland and Ireland as the Joint Chairmen may determine. Both sides shall strive to maintain a balance in representation between the two jurisdictions and to keep overall numbers at a manageable level.

Official support

The Working Group shall be supported by those officials from the Department of Justice, Equality and Law Reform and the Northern Ireland Department of Justice who provide administrative support to the Ministerial Meetings.

Records of meetings of the Working Group shall be agreed between the Joint Chairmen.