



Stephen Doughty MP
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17 April 2026

Policy letter on the UK–Overseas Territories Joint Declaration

Thank you for your evidence on 13 January 2026, and your follow-up letter dated 18 March, in relation to the Constitution Committee’s inquiry into the 2023 UK–Overseas Territories Joint Declaration.

The inquiry has reviewed progress against the commitments set out in the Joint Declaration, as well as the mechanisms for engagement between the UK and the Overseas Territories, and the extent to which they are effective. Between December 2025 and March 2026, the Committee held six evidence sessions with 15 witnesses, including nine representatives of the Overseas Territories¹, you and your predecessor (David Rutley) as Minister for the Overseas Territories, current and former senior Government officials, and a panel of academic experts. We also received 21 written submissions, including from the UK Government, many of the Overseas Territories, academic and legal experts, campaign organisations, and leaders in biodiversity projects.

The annex to this letter sets out the full findings of our inquiry. We request a response to our **conclusions** and **recommendations**, which are summarised below:

¹ The UK has 14 Overseas Territories, of which 10 are permanently inhabited by British nationals and were signatories to the Joint Declaration (St Helena, Ascension Island and Tristan da Cunha is a single Territory with three political systems, one for each island grouping, united under the same Governor. Each were individual signatories). The 12 signatories to the Joint Declaration were invited to give oral evidence to the Committee. Representatives of Anguilla, Bermuda, the British Virgin Islands, the Falkland Islands, Gibraltar, Montserrat, St Helena, Tristan da Cunha and the Turks and Caicos Islands each did so. Ascension Island, the Cayman Islands and the Pitcairn Islands were not available to give oral evidence to the Committee, although the Cayman Islands did submit written evidence. The Joint Declaration does not apply to the Sovereign Base Areas in Cyprus or those Overseas Territories without a permanent population (the British Antarctic Territory, British Indian Ocean Territory, and South Georgia & the South Sandwich Islands), and issues affecting those Territories were therefore outside the scope of this inquiry. For more information, see House of Commons Library research briefing, [The Overseas Territories: An introduction and relations with the UK](#), 20 January 2023.

1. **We acknowledge the vital societal, cultural, environmental, economic and strategic role that the Overseas Territories play as part of the wider UK family. We welcome, in particular, the vital work played by the Overseas Territories in the management of unique terrestrial and marine ecosystems, as set out in the UK Overseas Territories Biodiversity Strategy. We also, however, draw attention to the unique exposure of the Overseas Territories to global challenges, not least in relation to climate change and geopolitical uncertainty, and to the potential impact on the UK. We emphasise the constitutional obligations of the UK Government for the Overseas Territories in relation to foreign affairs and defence.**
2. **The UK's relationship with the Overseas Territories has matured and modernised significantly in recent decades. However, there remains an underlying tension between the UK's overarching responsibility for good governance and upholding international commitments, and the Overseas Territories' desire to exercise autonomy. This can in turn engender a sense among some of the Overseas Territories that they are not appropriately respected or valued. *The historical attitude of the UK Government was to regard the Overseas Territories as a post-colonial problem to be managed. This mindset is out of date and must be left in the past, allowing the modern relationship to become one truly characterised by—in the words of the Minister for the Overseas Territories—“openness and mutual respect”. In that spirit, the UK Government and the Overseas Territories must ensure that they work together to understand their respective positions and reach resolutions on policy and constitutional matters for mutual benefit. We set out ways in which this can be achieved below.***
3. **The UK–Overseas Territories Joint Declaration is a useful restatement of shared principles and mutual commitments. As a jointly owned document, it is also a symbolic demonstration of the positive modern relationship between the UK and the Overseas Territories. However, it does not have a substantive impact on day-to-day relations with the UK and, beyond the yearly meeting of the Overseas Territories Joint Ministerial Council (JMC), lacks any effective mechanism for monitoring whether, how and when the commitments made have been met.**
4. ***The Minister for the Overseas Territories told us that the Joint Declaration is still operative. That being the case, the UK Government, working with the Overseas Territories, must ensure that the Joint Declaration is kept at the forefront of their thinking on a day-to-day basis, to ensure that it has a discernible practical impact on their relationship. To facilitate this, formal mechanisms should be established to monitor, and report on, progress against the commitments made within the Joint Declaration. This requires as a minimum the publication of an annual update and review of the Joint Declaration, in conjunction with the yearly meeting of the Overseas Territories Joint Ministerial Council.***
5. **Bilateral Partnership Compacts have the potential to be used as tools to apply the shared principles underpinning the UK's relationship with the Overseas Territories set out in the Joint Declaration to the specific circumstances in each Territory. We welcome the UK Government's**

commitment to establish bilateral Partnership Compacts with individual Overseas Territories that wish to do so. However, we regret that formal negotiations have yet to begin, notwithstanding the enthusiasm of many of the Territories. *The UK Government must work with interested Overseas Territories to bring forward bilateral Partnership Compacts as a matter of urgency. It must also work with the Territories on an agreed framework, setting out which issues are within or outside the scope of Compacts, and how progress against the commitments made will be reviewed.*

- 6. We welcome examples of mutual support between Overseas Territories, and note the developing relationship between many of the Overseas Territories and international bodies such as CARICOM. We also welcome the UK Government's commitment to support and facilitate the development of Compacts between Overseas Territories, should any wish to establish them.**
- 7. The UK Government has stated that it will not publish a Strategy as envisaged in the Joint Declaration, but will instead produce a Charter of Engagement. *We invite the UK Government to clarify the reason for this decision, the substantive difference between a Strategy and a Charter, whether and when the Charter will be published, whether and what consultation with the Overseas Territories has been undertaken on the scope and contents of the Charter, and how it will be kept under review.***
- 8. The proliferation of extant and proposed documentation concerning the Overseas Territories since the publication of the White Paper in 2012 has engendered uncertainty about the status, relative standing and inter-dependence of the various documents. This uncertainty strengthens the case for publication of an overarching and definitive new White Paper. *In the meantime, we call on the Government to clarify how the various documents relate to each other, which of them are still in force or to be developed in the future, and whether the 2012 White Paper continues to take precedence.***
- 9. We strongly agree with the Overseas Territories that the 2012 White Paper is now badly out of date, and that a new White Paper is urgently required, not least to "bring together the existing patchwork of documents into a single clear reference point".² *We urge the UK Government to bring forward a White Paper during the next parliamentary session.***
- 10. *In that context, we welcome the Minister for the Overseas Territories' commitment to consider proposals from the Overseas Territories, and urge the UK Government to take account of the important range of issues that they put to us for inclusion in a new White Paper. Not least, a new White Paper provides an opportunity for the UK Government, together with the Overseas Territories, to think more strategically about the constitutional relationship, and how it is likely to evolve in the future.***

² Supplementary written evidence from the Government of Montserrat ([OTJ0018](#))

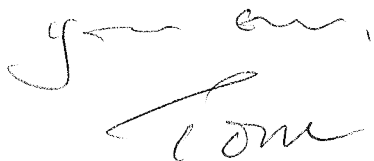
- 11. Consistent ministerial engagement is crucial to the success of the Joint Ministerial Council. *The Government should ensure that the Minister for the Overseas Territories is always available to chair the Council, and that other ministers attend when the agenda includes items within their remit.***
- 12. Whilst the Joint Ministerial Council is valuable as a high-level, multilateral engagement forum, it is not a substitute for sustained bilateral engagement with each of the Overseas Territories. *Formal ministerial engagement between the UK Government and the Overseas Territories must not be confined to the Joint Ministerial Council.***
- 13. The strength and effectiveness of the relationship between the Overseas Territories and the UK Government is heavily dependent on the interest and commitment from time to time of the Minister for the Overseas Territories. Recent ministers have approached the role with dedication, but this cannot be relied upon. The regular turnover of FCDO ministers and officials has had a detrimental impact on inter-personal relationships with the Overseas Territories and institutional memory. *The UK Government should keep in mind the particular importance for the Overseas Territories, given the breadth, sensitivity and significance of their relationship with the UK, of continuity at ministerial and official level. It should therefore only make changes to ministerial and official responsibilities for the Overseas Territories sparingly. The UK Government should also ensure that processes for regular engagement are deeply embedded within the FCDO so that they are not vulnerable to changing personalities.***
- 14. We acknowledge perceptions of an inequality of treatment of the Overseas Territories by the FCDO. Whilst there are legitimate reasons for increased focus on specific Territories, particularly at times of crisis or opportunity, this can cause frustration amongst those Territories that struggle to capture the attention of the UK Government. Furthermore, recent decades have shown that any of the Territories may face specific challenges that require the UK's attention and assistance (including challenges indirectly to the UK), and that these challenges often arise unexpectedly. *The UK Government must therefore ensure that opportunities for engagement, particularly at ministerial level, apply to all Territories in a consistent and even-handed way.***
- 15. It is important that there is a department within the UK Government that has overall responsibility for managing the relationship with the Overseas Territories. *To best support the Territories, this department needs to invest in developing strong relationships with each of the Territories and in maintaining deep institutional knowledge about them all, at the same time acknowledging the impact that the changing geopolitical picture may have on these relationships.***
- 16. The Government should review the appropriateness of, and set out the rationale for, responsibilities relating to the Overseas Territories remaining in the FCDO. *In doing so, it should consider how to develop a career pathway for civil servants specialising in the Overseas Territories.***

- 17. Constructive UK Government departmental engagement with the Overseas Territories requires early engagement, ongoing and transparent communication, and clarity over roles and responsibilities, particularly between UK departments. *These principles should be reflected in the upcoming UK Government Charter on Engagement as the basis for engagement with the Overseas Territories.***
- 18. A cross-Whitehall culture that respects and values the Overseas Territories is central to effective engagement. *The FCDO should play a more active role across government in educating officials in other departments about the Overseas Territories and the UK's constitutional relationship with them. This should involve practical guidance about when and how to engage with the Territories at official level.***
- 19. We welcome the Minister for the Overseas Territories' statement that the Charter of Engagement will commit to a dedicated point of contact for the Overseas Territories in each Government department. *The UK Government should ensure that a list of these officials is made available to Territory governments as soon as possible and updated annually.***
- 20. *Structured processes should be put in place ahead of the next meeting of the ministerial group on the Overseas Territories to provide the Territories with the opportunity to feed into the agenda. The final agenda and a readout of the meetings should also be shared with them.***
- 21. The relationship between the UK and the Overseas Territories is of fundamental constitutional importance. The Minister for the Overseas Territories told us that the UK Government's approach is based on "openness and mutual respect", and that the relationship "is definitely the strongest that it has been in a number of years". We heard that the relationship has been strengthened and modernised in recent years, and we recognise the positive progress that has been made under recent ministers. We were also, however, made aware of a range of examples that suggest that openness and respect for the Overseas Territories is not yet consistently embedded across the UK Government's engagement with the Territories. These include:**
- the lack of a dedicated mechanism for structured monitoring or assessment of delivery on the commitments set out in the Joint Declaration, the 2012 White Paper and other published framework documents;
 - the lack of delivery of a number of commitments made in these documents;
 - in particular, the lack of urgency in delivering bilateral Partnership Compacts in spite of the enthusiasm of many Overseas Territories;
 - furthermore, the failure to fulfil the commitment to a new Strategy, or to produce a new White Paper, despite the 2012 White Paper being badly out of date;
 - the lack of information shared with the Overseas Territories about the work of the ministerial group on the Overseas Territories;

- the detrimental impact on inter-personal relationships of the regular turnover of FCDO ministers and officials with responsibility for the Overseas Territories;
- inconsistent engagement with the Overseas Territories by other Government departments, together with a lack of understanding of the implications for the Territories of policy decisions; and
- a perceived lack of equity in the treatment of Overseas Territories.

22. The UK Government must commit to structurally embedding the features of positive engagement with the Overseas Territories, to support a respectful, reciprocal and constructive relationship for the long-term. This should begin with the publication of a new White Paper in the next parliamentary session.

I would be grateful for receipt of a reply to this letter, including a response to each of the Committee's **conclusions** and **recommendations**, by **17 June 2026**.



The Rt Hon. Lord Strathclyde CH
Chair of the Constitution Committee

Members' interests

Committee Members' registered interests may be examined in the online Register of Lords' Interests at www.parliament.uk/hlregister.

For this letter, Members declared the following interests³:

- Lord Burnett of Maldon chaired a Constitutional Tribunal set up by the Governor of Bermuda, which concluded its work in April 2025.
- Baroness Laing of Elderslie visited the Cayman Islands from 13-18 February 2026, as a factfinding mission with the Cayman Islands APPG—flights and accommodation costs were paid by the Government of the Cayman Islands.

Members had no other relevant interests to declare.

³ These interests are published at [Constitution Committee - Declarations of interest - Committees - UK Parliament](https://www.parliament.uk/committees/constitution/declarations-of-interest).

Annex: Findings of the Constitution Committee’s inquiry into the 2023 UK–Overseas Territories Joint Declaration

Background

1. The story of the UK’s constitutional relationship with the Overseas Territories is long and complex.⁴ According to the UK Government 2012 White Paper *The Overseas Territories: Security, Success and Sustainability*:

“In the three decades after the Second World War most British colonies and dominions became new independent states and members of the Commonwealth. A number of small territories retained links of various kinds to the UK, including some Territories directly dependent on the UK for budgetary aid, linked to the UK because of the wishes of the inhabitants or, in some cases, maintained as military bases or for their longer term strategic value ... The 1999 White Paper *Partnership for Progress and Prosperity* set out a new relationship between the UK and its Overseas Territories based on the principles of self-determination, mutual responsibilities, and autonomy, and a pledge of UK help when needed. British citizenship was extended to most of the people of the Territories.”⁵
2. Dr Maria Mut Bosque, Associate Professor (Reader) in International and European Law, Universitat Internacional de Catalunya, noted that, before the enactment of the British Nationality Act 1981, the Territories were regarded as colonies under British law. Following that Act, they were redesignated as British Dependent Territories and, since 2002, as British Overseas Territories: “This evolution reflects a gradual redefinition of the legal and political relationship” and “greater degrees of autonomy”.⁶
3. Current UK Government policy for the Overseas Territories is set out in the 2012 White Paper. This had three policy goals:
 - to strengthen the engagement and interaction between the UK and the Territories;
 - to work with Territories to strengthen good governance arrangements, public financial management and economic planning where this is necessary; and
 - to improve the quality and range of support available to the Territories.
4. Subsequently, in 2023, the Governments of the UK and those Overseas Territories permanently inhabited by British nationals agreed a new Joint Declaration, which

⁴ According to the Government 2012 White Paper (Foreign and Commonwealth Office, [The Overseas Territories: Security, Success and Sustainability](#), June 2012, p 12), Bermuda was settled by the survivors from a shipwreck in 1609. The five Caribbean territories—Anguilla, British Virgin Islands, Cayman Islands, Montserrat and Turks and Caicos Islands—became British territories during the 17th and 18th centuries when sugar plantations were established on many islands. The inhabited Territories in the South Atlantic—the Territory of St Helena, Ascension and Tristan da Cunha; and the Falkland Islands—have for centuries played a role in British national history, and are notable for their geographical remoteness. This is also true of the Pitcairn Islands, in the South Pacific. Gibraltar—which was ceded to Britain under the Treaty of Utrecht in 1713—is the only Territory on the European mainland, and plays a vital strategic defence role.

⁵ Foreign and Commonwealth Office, [The Overseas Territories: Security, Success and Sustainability](#), June 2012, p 11

⁶ Written evidence from Dr Maria Mut Bosque ([OTJ0006](#))

sought to establish a new, more collaborative and modern relationship. The parties committed to, among other things:

- improve transparency, and strengthen collaboration and communication;
- deepen bilateral partnerships through new ‘Compacts’, which would reflect shared priorities and objectives and detail how both parties will achieve them;
- practise the highest standards of governance, including in the areas of human rights, rule of law, integrity in public life and financial management;
- support the Overseas Territories to take on additional responsibilities and greater autonomy where they wish to do so; and
- consult the Overseas Territories on UK primary legislation that impacts them.⁷

The importance of the Overseas Territories

5. The Joint Declaration reaffirmed “the deep, historic, and enduring partnership between the United Kingdom and the British Overseas Territories. We recognise and celebrate the diversity of the UK and each British Overseas Territory, our communities and cultures.”⁸
6. Stephen Doughty MP, Minister of State for Europe, North America and the Overseas Territories (‘The Minister’), told us:
“The Overseas Territories are hugely important parts of our wider family’s offer to the world. They offer fantastic examples of innovation, different services, unique landscapes and unique people ... We have unique strategic capabilities as a result of some of the Overseas Territories, which meet the security and defence needs of the United Kingdom and our allies. We have incredible sporting prowess.”⁹
7. The Minister also pointed out that the UK’s trading relationship with the Overseas Territories is now worth more than £17 billion, putting them among the UK’s top 25 partners. He stated that the UK had worked with the Overseas Territories to complete nearly £13 million in infrastructure projects in the Overseas Territories over the past year, with another £60 million-worth in the pipeline.¹⁰
8. Dr Derek O’Brien Associate Professor in Law, Oxford Brookes University, noted the “sheer diversity” of the Overseas Territories.¹¹ Dr Maria Mut Bosque stated that “the diversity of geographical, constitutional, and socio-economic conditions among the British Overseas Territories precludes a uniform approach; tailored responses with government and citizen engagement are required.”¹² This diversity means that the relationship of the UK with each individual Territory differs in focus and intensity. As we set out below, this can lead to differing perceptions of the health of the

⁷ Foreign, Commonwealth and Development Office, [Joint declaration of governments of the United Kingdom and British Overseas Territories: a modern partnership for a stronger British family](#), 14 December 2023

⁸ Foreign, Commonwealth and Development Office, [Joint declaration of governments of the United Kingdom and British Overseas Territories: a modern partnership for a stronger British family](#), 14 December 2023

⁹ [OO 22–23](#) (Stephen Doughty MP).

¹⁰ [Q 14](#) (Stephen Doughty MP)

¹¹ [Q 1](#) (Dr Derek O’Brien)

¹² Written evidence from Dr Maria Mut Bosque ([OTJ0006](#))

bilateral relationship with the UK, while a perceived inequality in treatment by the UK is a source of tension.¹³

9. Nevertheless, the Overseas Territories have much in common. Our witnesses highlighted biodiversity as an example of the value that they collectively bring. Royal Botanic Gardens Kew estimated that the Overseas Territories are home to more than 16 times as many endemic terrestrial species than mainland UK.¹⁴ The Minister referred to the unique Blue Belt Programme, which protects 4 million square kilometres of ocean.¹⁵ The UK Overseas Territories Conservation Forum said that many Territories are vulnerable to sea-level rise, coastal erosion, and increasingly severe extreme weather-events, and they have a vital role to play in the protection of globally unique terrestrial and marine ecosystems, the management of protected areas, and the prevention and control of invasive non-native species.¹⁶ Royal Botanic Gardens Kew and Dr Maria Mut Bosque stressed the value in that context of the UK Overseas Territories Biodiversity Strategy, first introduced in 2016 and updated in 2025.¹⁷
10. Dr Maria Mut Bosque noted that global challenges—including public health emergencies, security and defence concerns, technological developments, and environmental pressures—affect the Overseas Territories disproportionately, owing to their small size, geographical location, and limited administrative capacity.¹⁸ The Minister acknowledged the “very specific issues around defence and security that some of them have faced”, noting that the UK retains constitutional responsibility for the Overseas Territories in relation to foreign affairs and defence.¹⁹ The former Minister for the Overseas Territories, David Rutley, similarly stressed the need to take account of the geopolitical situation and the geostrategic position of many of the Overseas Territories.²⁰
11. During the course of this inquiry, the challenges for the Overseas Territories, and thus also for the UK, posed by geopolitical uncertainty and instability have been laid bare. Although these Territories are not signatories to the Joint Declaration and are therefore outside the scope of our inquiry, we note that the future constitutional status of the Chagos Islands (which form the British Indian Ocean Territory) remains a matter of political dispute²¹, and the Diego Garcia military base in the Chagos Islands and the Sovereign Base Areas in Cyprus have been targeted by Iran in the ongoing conflict in the Middle East.

¹³ See paras 83–86.

¹⁴ Written evidence from Royal Botanic Gardens, Kew ([OTJ0016](#))

¹⁵ [Q 14](#) (Stephen Doughty MP)

¹⁶ Written evidence from UK Overseas Territories Conservation Forum ([OTJ0007](#))

¹⁷ Written evidence from Royal Botanic Gardens, Kew ([OTJ0016](#)) and Dr Maria Mut Bosque ([OTJ0006](#)). See Department for Environment, Food and Rural Affairs and Joint Nature Conservation Committee, [UK Overseas Territories biodiversity strategy](#), 12 January 2026. We discuss this in more detail at para 94.

¹⁸ Written evidence from Dr Maria Mut Bosque ([OTJ0006](#))

¹⁹ [OO 18, 20](#) (Stephen Doughty MP)

²⁰ [Q 33](#) (David Rutley)

²¹ The Joint Declaration does not apply to the Sovereign Base Areas in Cyprus or those Overseas Territories without a permanent population (the British Antarctic Territory, British Indian Ocean Territory, and South Georgia & the South Sandwich Islands). Consequently, scrutiny of issues affecting these Territories, including the provisions of the Diego Garcia Military Base and British Indian Ocean Territory Bill, was not within the scope of this inquiry. For the Committee’s legislative scrutiny of that Bill, see Constitution Committee, [Diego Garcia Military Base and the British Indian Ocean Territory Bill](#) (14th Report, Session 2024–26, HL Paper 216).

12. Witnesses also cited several examples of geopolitical challenges facing the Territories that are within the scope of this inquiry. These include upholding the principle of self-determination in the face of longstanding territorial disputes relating to the Falkland Islands and Gibraltar; the importance of the relationship with the USA for Bermuda and the Caribbean Territories; and the challenges for the Turks and Caicos Islands in terms of crime and illegal migration arising from its geographical proximity to Haiti. There are also issues which arise from the geographical isolation of Territories such as Tristan da Cunha, although the island also provides a monitoring station for the Comprehensive Nuclear-Test-Ban Treaty Organization, which enables that organisation through the UK to fulfil its obligations to monitor a large area of the southern hemisphere.²²
13. **We acknowledge the vital societal, cultural, environmental, economic and strategic role that the Overseas Territories play as part of the wider UK family. We welcome, in particular, the vital work played by the Overseas Territories in the management of unique terrestrial and marine ecosystems, as set out in the UK Overseas Territories Biodiversity Strategy. We also, however, draw attention to the unique exposure of the Overseas Territories to global challenges, not least in relation to climate change and geopolitical uncertainty, and to the potential impact on the UK. We emphasise the constitutional obligations of the UK Government for the Overseas Territories in relation to foreign affairs and defence.**

The current state of UK–Overseas Territories relations

14. The Minister told us that the UK Government’s approach to the relationship with the Overseas Territories is based on “openness and mutual respect”, and that the relationship “is definitely the strongest that it has been in a number of years”.²³ Sir Philip Barton, Former Permanent Under-Secretary, Foreign, Commonwealth and Development Office (FCDO), identified the 1999 White Paper as a turning point when the UK “started to talk about partnership”, and that since then “the UK Government and Overseas Territories have learned how to disagree and work through differences.”²⁴
15. Several of the Overseas Territories told us that the relationship with the UK generally works well. For instance, the Government of Montserrat described a “constructive” and “positive” relationship with the UK.²⁵ Many of the Territories pointed to practical examples of co-operation. However, a number also cited longstanding unresolved issues.²⁶

²² [Q 24](#) (Stephen Doughty MP), [QQ 29, 32](#) (David Rutley MP), [QQ 52, 58, 62](#) (Charles Washington Misick), [Q 64](#) (Chris Carnegie), [QQ 69–70](#) (Fabian Picardo), [Q 70](#) (Richard Hyslop)

²³ [QQ 14, 23](#) (Stephen Doughty MP)

²⁴ [Q 37](#) (Sir Philip Barton)

²⁵ Supplementary written evidence from the Government of Montserrat ([OTJ0018](#))

²⁶ See for example [Q 50](#) (Blondel Cluff), [Q 51](#) (Kei-Retta Farrell), [QQ 52, 62](#) (Charles Washington Misick), [QQ 53, 62](#) (Dr Natalio D Wheatley), [QQ 66, 69](#) (Dr Rebecca Cairns-Wicks), and written evidence from the Government of Montserrat ([OTJ0011](#) and [OTJ0018](#)), British Virgin Islands Government ([OTJ0012](#)) and Bermuda Government ([OTJ0014](#)). See also written evidence from Dr Susie Alegre ([OTJ0009](#)). We explore such individual policy issues further in paras 97–109.

16. Lord McDonald of Salford, former Permanent Under-Secretary, Foreign and Commonwealth Office (FCO), argued that “the point about the OTs is that they are scraps of empire”. He said, with reference to decolonisation in the 1960s and 1970s: “Looking back, British policy at the end was basically ‘scuttle’. We tried to get out of everywhere as quickly as we could, but some places were just too small, or too obstreperous, so we kept them, not particularly willingly ... It still feels to me like an unstable and incomplete relationship. The Territories are very different from one another ... [and] want very much more out of us than we are able to give ... They are nobody’s priority, correctly so, because everybody dealing with them, including the FCDO, has a dozen or more other more urgent priorities.”²⁷
17. These comments provoked a strong reaction from the Overseas Territories. The Government of Anguilla stressed the importance of “consistency in treatment and the perception of equality and fairness for all members of the British family”, including the Overseas Territories.²⁸ Blondel Cluff, Overseas Representative and Special Adviser to the Premier, Government of Anguilla, said: “It is a question of whether you want us. Do you want us? How much do you value us? Do you value us to the same extent that you value the Crown Dependencies and the devolved nations of the United Kingdom, or, to quote a former senior member of the Foreign Office, are we simply ‘obstreperous’ ‘scraps of empire’? ... We are trying very hard as Territories to be part and parcel of this family, but at times we do not feel wanted, we do not feel respected.”²⁹
18. Dr Derek O’Brien cited a “fundamental tension between the idea that the UK Government is responsible for good governance in the Overseas Territories and the principle of autonomy.”³⁰ Professor Peter Clegg, Professor in Politics and International Relations, and Head of the School of Social Sciences, University of the West of England (Bristol), described this tension as follows: “In the UK’s view, there are always those red lines. It is about the Governor’s reserve powers, the independence of the judiciary in the Territories and the impartiality of the Civil Service ... The UK Government’s view has been that we must have the tools to be able to intervene if things go badly wrong.”³¹
19. The focus of our inquiry was the UK–Overseas Territories Joint Declaration and the overall structure of the constitutional relationship between the UK and the Territories. It was therefore beyond the remit of our inquiry to scrutinise or draw conclusions on specific policy matters. Nevertheless, witnesses cited policy disputes in relation to beneficial ownership and human rights law as examples of this tension.
20. Dr O’Brien referred to the Sanctions and Anti-Money Laundering Act 2018 (SAML), which empowered UK ministers to impose publicly accessible registers of beneficial ownership³² on Overseas Territories, should they fail to establish such

²⁷ [Q 42](#) (Lord McDonald of Salford)

²⁸ Written evidence from the Government of Anguilla ([OTJ0013](#))

²⁹ [Q 61](#) (Blondel Cluff)

³⁰ [QQ 1–3](#) (Dr Derek O’Brien)

³¹ [Q 9](#) (Professor Peter Clegg)

³² The person who ultimately owns or controls an asset, for example a property or a company. See House of Commons Library research briefing, [Registers of beneficial ownership](#), 6 April 2022.

registers themselves by the end of 2020. He said that this was an example of the interests of the UK and the Territories differing: whereas in the Territories it is viewed as a question of privacy under their constitutions and protecting financial competitiveness, from the UK's point of view it is a question of national security and international reputation.³³

21. The Minister stressed the importance of “implementing expansive accessible registers of beneficial ownership, to aid corporate transparency and deter those who wish to use the OTs to hide illicit gains and commit financial crime.”³⁴ He stated:

“It is important to recognise where progress has been made. Gibraltar already has a fully publicly accessible register of beneficial ownership. St Helena introduced one. Cayman has made some substantial progress. We have clear commitments from the others. Have they moved as fast as I would have liked? No. We have been robust in challenging them and had discussions with a number of specific territories about what we expect to see.”³⁵

22. A number of Overseas Territories defended the steps they had taken in relation to beneficial ownership.³⁶ Nevertheless, Transparency International UK argued that financial secrecy persisted in the Overseas Territories, and that this damaged the UK's national security, economic integrity and international reputation.³⁷

23. In relation to human rights and equality, the Minister told us that the UK Government expects the Overseas Territories to uphold international commitments, including in respect of LGBT+, children's and disability rights. He stated that there had been positive progress in Territories such as Montserrat, and that he was “working closely with the Territories where that is not the case”. He also noted judicial proceedings on such issues, some of which have gone to the Judicial Committee of the Privy Council as the final court of appeal for the Overseas Territories.³⁸

24. Professor Nicola Barker, Professor of Law, University of Liverpool, argued that “there is no incentive for the [Overseas Territories] Governments to make laws in favour of LGBT+ rights which may be unpopular with the electorate, yet which are necessary to meet the UK's international obligations.”³⁹ Dr Susie Alegre, Barrister, Garden Court Chambers, acknowledged that some Overseas Territories had complained of an encroachment on sovereignty in relation to human rights issues (particularly LGBT+ rights), and said that it was unclear how the Joint Declaration's

³³ [OO 6, 9, 11](#) (Dr Derek O'Brien)

³⁴ Written evidence from Stephen Doughty MP ([OTJ0021](#))

³⁵ [O 16](#) (Stephen Doughty MP). See also [O 30](#) (David Rutley), [OO 38–39](#) (Sir Philip Barton and Lord McDonald of Salford).

³⁶ See for instance [O 67](#) (Fabian Picardo) and written evidence from the Cayman Islands Government ([OTJ0015](#)).

³⁷ Written evidence from Transparency International UK ([OTJ0010](#))

³⁸ [OO 15, 17](#) (Stephen Doughty MP). For an explanation of the role of the Judicial Committee of the Privy Council, including in relation to the Overseas Territories, see Judicial Committee of the Privy Council website, [About the Judicial Committee of the Privy Council](#).

³⁹ [OTJ0002](#) (Professor Nicola Barker). Professor Barker stated that these basic fundamental rights include: right to recognition of gender identity; prohibition against discrimination on the grounds of sexual orientation and an equal age of consent; joint adoption for same-sex couples; legal recognition for same-sex couples; and legal recognition for same-sex relationships.

commitment to ensure that core human rights standards in the Overseas Territories should be the same as in the UK would be met in practice.⁴⁰

25. The St Helena Equality and Human Rights Commission stated that “people in the OTs are British citizens or British Overseas Territories citizens, yet they remain largely invisible in international human rights spaces. They lack the human rights protections that their counterparts in the UK have.” They pointed out that the UK, not the Territories themselves, is the State Party to core human rights treaties, and submitted that effective national human rights institutions, of which there are four among the Territories, with ring-fenced funding from the UK, were essential. They also called for a dedicated human rights forum for the Overseas Territories to ensure meaningful participation in international processes.⁴¹
26. **The UK’s relationship with the Overseas Territories has matured and modernised significantly in recent decades. However, there remains an underlying tension between the UK’s overarching responsibility for good governance and upholding international commitments, and the Overseas Territories’ desire to exercise autonomy. This can in turn engender a sense among some of the Overseas Territories that they are not appropriately respected or valued. *The historical attitude of the UK Government was to regard the Overseas Territories as a post-colonial problem to be managed. This mindset is out of date and must be left in the past, allowing the modern relationship to become one truly characterised by—in the words of the Minister for the Overseas Territories—“openness and mutual respect”. In that spirit, the UK Government and the Overseas Territories must ensure that they work together to understand their respective positions and reach resolutions on policy and constitutional matters for mutual benefit. We set out ways in which this can be achieved below.***

The UK–Overseas Territories Joint Declaration

27. David Rutley, as Minister for the Overseas Territories at the time, told us that the rationale for bringing forward the UK–Overseas Territories Joint Declaration in 2023 was to provide a refresh of the 2012 White Paper as part of a three-step process, together with the development of a new Strategy and bilateral Partnership Compacts.⁴² Commitment xxiii of the Joint Declaration states:

“We will hold ourselves accountable to implement this Declaration through the JMC [Joint Ministerial Council]. The UK will set out how it will deliver on its commitments through a published strategy, the development of which will include meaningful collaboration with the democratically elected Governments of the British Overseas Territories.”⁴³

We turn to the Strategy and Compacts in paras 34–55, and discuss the role of the JMC in paras 64–71.

⁴⁰ Written evidence from Dr Susie Alegre ([OTJ0009](#))

⁴¹ Written evidence from the St Helena Equality and Human Rights Commission ([OTJ0019](#))

⁴² [QQ 27, 29, 32](#) (David Rutley)

⁴³ Foreign, Commonwealth and Development Office, [Joint declaration of governments of the United Kingdom and British Overseas Territories: a modern partnership for a stronger British family](#), 14 December 2023

28. Our witnesses gave their assessment of the efficacy of the Joint Declaration. The Government of the Cayman Islands stated that it had “functioned primarily as a reaffirmation and consolidation of agreed norms, rather than as a document introducing new processes or materially altering engagement structures.” They pointed out that there is no mechanism for structured monitoring or assessment of delivery.⁴⁴ The Government of the British Virgin Islands agreed and called for a “more collaborative approach to monitoring, including shared progress reporting, clearer ownership of commitments across UK departments, and measurable milestones.”⁴⁵
29. The Government of Anguilla stated that the Joint Declaration “has had a modest but discernible impact on Anguilla’s engagement with the UK Government”, including reaffirming shared principles and setting out a clearer framework. They too called for “a more structured and transparent approach” to meeting commitments.⁴⁶ The Government of Montserrat said that, while the Joint Declaration sets out important shared principles, “it does not feature prominently in day-to-day interactions, nor is it routinely referenced as a framework guiding engagement across UK Government departments.” They too called for clearer mechanisms to embed its commitments.⁴⁷ The Governments of Bermuda, Tristan da Cunha and St Helena made similar arguments.⁴⁸ The Premier of the Turks and Caicos Islands, Charles Washington Misick, went further, stating that “it has had no impact whatsoever”.⁴⁹
30. The Chief Minister of Gibraltar, Fabian Picardo, stressed that, since Gibraltar already has strong relationships with the UK Government, the Joint Declaration “is more a restatement of principles and commitments”.⁵⁰ The Falkland Islands Government made a similar point, and expressed surprise that the Joint Declaration was “still extant” after the 2024 general election.⁵¹
31. Mr Doughty affirmed that the Joint Declaration remains in place: “I do not think you just junk things because they were there under a previous Government.”⁵² He asserted that all but two of the commitments in the Joint Declaration, namely the development of Compacts between the Overseas Territories and a new Strategy, have been met or are subject to open-ended, ongoing actions.⁵³ We turn to these outstanding commitments below.
- 32. The UK–Overseas Territories Joint Declaration is a useful restatement of shared principles and mutual commitments. As a jointly owned document, it is also a symbolic demonstration of the positive modern relationship between the UK and the Overseas Territories. However, it does not have**

⁴⁴ Written evidence from the Cayman Islands Government ([OTJ0015](#))

⁴⁵ [Q 55](#) (Dr Natalio D Wheatley) and written evidence from the British Virgin Islands Government ([OTJ0012](#))

⁴⁶ Written evidence from the Government of Anguilla ([OTJ0013](#)). See also [Q 55](#) (Blondel Cluff)

⁴⁷ Written evidence from the Government of Montserrat ([OTJ0011](#) and [OTJ0018](#)). See also [Q 55](#) (Kei-Retta Farrell)

⁴⁸ Written evidence from the Chief Islander of Tristan da Cunha ([OTJ0003](#)), Bermuda Government ([OTJ0014](#)), St Helena Government ([OTJ0017](#)), and [Q 55](#) (Kim Wilkerson) and [Q 67](#) (Chris Carnegie and Dr Rebecca Cairns-Wicks)

⁴⁹ [Q 55](#) (Charles Washington Misick)

⁵⁰ [Q 67](#) (Fabian Picardo)

⁵¹ [Q 67](#) (Richard Hyslop) and written evidence from the Falkland Islands Government ([OTJ0008](#))

⁵² [QQ 14, 22](#) (Stephen Doughty MP)

⁵³ [Q 22](#) (Stephen Doughty MP)

a substantive impact on day-to-day relations with the UK and, beyond the yearly meeting of the Overseas Territories Joint Ministerial Council (JMC)⁵⁴, lacks any effective mechanism for monitoring whether, how and when the commitments made have been met.

33. *The Minister for the Overseas Territories told us that the Joint Declaration is still operative. That being the case, the UK Government, working with the Overseas Territories, must ensure that the Joint Declaration is kept at the forefront of their thinking on a day-to-day basis, to ensure that it has a discernible practical impact on their relationship. To facilitate this, formal mechanisms should be established to monitor, and report on, progress against the commitments made within the Joint Declaration. This requires as a minimum the publication of an annual update and review of the Joint Declaration, in conjunction with the yearly meeting of the Overseas Territories Joint Ministerial Council.*

Bilateral Partnership Compacts between the UK and each Overseas Territory

34. Commitment xi of the Joint Declaration states:

“We will develop bilateral Compacts between the UK Government and each British Overseas Territory that wishes to, reflecting shared priorities and objectives and detailing how both parties will achieve them. These Compacts will also set out the responsibilities of the UK, elected Governments and Governor, consistent with each British Overseas Territory’s constitution.”⁵⁵

35. David Rutley said that the bilateral Compacts were arguably the most significant element of the three-step process, because “they are about the relationship between the UK Government and an individual Overseas Territory. It is very personal, it is very tailored and will be directly relevant to the specific needs of that Territory.” He said that they should be “dynamic documents” covering areas such as “governance, defence, security, environment, communities and the economy ... all in one Compact.” He also advocated the development in due course of topic-related or single-issue Partnership Compacts.⁵⁶

36. Fabian Picardo said that the value of bilateral Compacts lays in providing:

“A practical mechanism for translating ... shared principles and priorities into measurable outcomes for each of our Territories, recognising how diverse in our circumstance and opportunities we are. The bilateral Compacts will perhaps provide us the flexibility to reflect that diversity, while remaining anchored in the principles of the partnership—sustainability and mutual accountability—that are set out both in the White Paper and the Joint Declaration.”⁵⁷

⁵⁴ See paras 64–71.

⁵⁵ Foreign, Commonwealth and Development Office, [Joint declaration of governments of the United Kingdom and British Overseas Territories: a modern partnership for a stronger British family](#), 14 December 2023

⁵⁶ [QQ 32–33, 36](#) (David Rutley)

⁵⁷ [Q 68](#) (Fabian Picardo)

37. The Government of the Cayman Islands also acknowledged the potential value of bilateral Compacts to provide a tailored, practical framework and durable reference-point specific to the circumstances of each Territory. They stressed the importance of taking forward the Compacts in a voluntary, consensual way, on the basis that they are “explicitly non-legally binding and cannot effect constitutional change or dilute the powers of elected Territory governments”.⁵⁸ On the other hand, the Government of Anguilla argued that Compacts should be legally and/or politically binding. They said they should provide clear, mutually agreed commitments on governance support, economic resilience, climate adaptation and capacity-building, as well as clarity about respective roles and responsibilities, and accountability in delivering agreed outcomes.⁵⁹
38. The Falkland Islands Government likewise saw value in individual Compacts that recognise the distinct circumstances of each Territory, to avoid a “one size fits all” approach.⁶⁰ The Government of the British Virgin Islands said that Compacts will be most valuable if they provide clearer ownership across UK departments beyond the FCDO, manage cross-departmental issues, and provide measurable and deliverable targets and mechanisms for escalation.⁶¹ The Governments of Bermuda and St Helena made similar arguments.⁶²
39. The Chief Islander of Tristan da Cunha, Cllr Ian Lavarello, was pleased that Tristan da Cunha had been promised its own Compact, distinct from St Helena. He understood that the FCDO had adopted his proposal at the 2025 JMC that an initial pair of ‘pathfinder’ Compacts should be concluded with two Territories of different types. He told us that the FCDO had proposed that constitutional change and fresh UK spending commitments should both be excluded from the scope of Compacts, but the question of what could be included is as yet untested. He called for them to focus on partnerships with the UK in areas such as education, public health, and policing.”⁶³ The Government of Montserrat stressed that it had been agreed at the 2025 JMC that Overseas Territories would provide feedback on proposed draft terms of reference for Partnership Compacts.⁶⁴
40. The Minister stated that Partnership Compacts “are intended to provide tailored, practical frameworks for advancing shared priorities, and to signal a renewed commitment to partnership”. He affirmed that the Government is “offering Partnership Compacts setting out how we will work with individual Territories ... to any OT that wants to establish a Compact.” He also confirmed that the Government is awaiting consolidated feedback from the Territories on the Compact terms of reference shared with them at the 2025 JMC, and that they will be taken forward as priorities in 2026.⁶⁵ While several of the Overseas Territories told us that they were

⁵⁸ Written evidence from the Cayman Islands Government ([OTJ0015](#))

⁵⁹ Written evidence from the Government of Anguilla ([OTJ0013](#))

⁶⁰ Written evidence from the Falkland Islands Government ([OTJ0008](#))

⁶¹ Written evidence from the British Virgin Islands Government ([OTJ0012](#))

⁶² Written evidence from the Bermuda Government ([OTJ0014](#)) and St Helena Government ([OTJ0017](#)), and [Q 68](#) (Dr Rebecca Cairns-Wicks)

⁶³ Written evidence from the Chief Islander of Tristan da Cunha ([OTJ0003](#))

⁶⁴ Written evidence from the Government of Montserrat ([OTJ0011](#))

⁶⁵ [QQ 14, 22, 25](#) (Stephen Doughty MP) and written evidence from Stephen Doughty MP ([OTJ0021](#))

exploring or have had informal dialogue with the Government, formal negotiations have not begun.⁶⁶

41. **Bilateral Partnership Compacts have the potential to be used as tools to apply the shared principles underpinning the UK's relationship with the Overseas Territories set out in the Joint Declaration to the specific circumstances in each Territory. We welcome the UK Government's commitment to establish bilateral Partnership Compacts with individual Overseas Territories that wish to do so. However, we regret that formal negotiations have yet to begin, notwithstanding the enthusiasm of many of the Territories. The UK Government must work with interested Overseas Territories to bring forward bilateral Partnership Compacts as a matter of urgency. It must also work with the Territories on an agreed framework, setting out which issues are within or outside the scope of Compacts, and how progress against the commitments made will be reviewed.**

Compacts between the Overseas Territories

42. Commitment xii of the Joint Declaration states: "We will support the development of bilateral Compacts between individual British Overseas Territories."⁶⁷ The Minister told us that the Government is "not aware of any plans for Compacts between OTs. If they want to establish them, that is not something we are opposed to."⁶⁸
43. Although none of the Overseas Territories referred to active plans for the development of Compacts between them, they shared a number of examples of co-operation, including: dialogue on registers of beneficial ownership⁶⁹; shared learning on healthcare between Montserrat and St Helena⁷⁰; mutual support on policing; the provision of prison officers by the Turks and Caicos Islands to St Helena⁷¹; the availability of aerial surveillance helicopters based in the Cayman Islands to the Turks and Caicos Islands⁷²; joint disaster management initiatives; regular meetings of Attorneys General to share good practice; Bermuda's leadership in co-ordinating military units for training; and facilitation of pre-JMC discussions to identify common positions.⁷³
44. Witnesses also referred to the importance of The Caribbean Community (CARICOM) as a mechanism for dialogue between Overseas Territories in the Caribbean and other states in the area.⁷⁴ At present Montserrat are full members of CARICOM, and Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands and the Turks and Caicos Islands are associate members. The Minister stated that the UK

⁶⁶ Written evidence from the Falkland Islands Government ([OTJ0008](#)) Government of Anguilla ([OTJ0013](#)), Cayman Islands Government ([OTJ0015](#)) and St Helena Government ([OTJ0017](#))

⁶⁷ Foreign, Commonwealth and Development Office, [Joint declaration of governments of the United Kingdom and British Overseas Territories: a modern partnership for a stronger British family](#), 14 December 2023

⁶⁸ [Q 22](#) (Stephen Doughty MP)

⁶⁹ [Q 45](#) (Sir Philip Barton)

⁷⁰ [Q 72](#) (Dr Rebecca Cairns-Wicks)

⁷¹ [OTJ0004](#) (Fiona Campbell)

⁷² [QQ 52, 62](#) (Charles Washington Misick)

⁷³ Written evidence from Professor Peter Clegg ([OTJ0001](#))

⁷⁴ See CARICOM, [Who we are](#). See for instance [QQ 18, 22](#) (Stephen Doughty MP), [Q 32](#) (David Rutley) and [Q 62](#) (Kei-Retta Farrell and Dr Natalio D Wheatley).

Government has given authorisation for interested Overseas Territories to explore full CARICOM membership.⁷⁵

45. **We welcome examples of mutual support between Overseas Territories, and note the developing relationship between many of the Overseas Territories and international bodies such as CARICOM. We also welcome the UK Government’s commitment to support and facilitate the development of Compacts between Overseas Territories, should any wish to establish them.**

A Strategy or a Charter?

46. Commitment xxiii of the Joint Declaration states that “the UK will set out how it will deliver on its commitments through a published Strategy.”⁷⁶ David Rutley said that, as part of the three-step process, a new Strategy was intended as the “road map” for delivering the framework set out in the Joint Declaration. Although he said that it was “a perfectly legitimate question” whether this should take the form of an updated White Paper, it was decided at the time that progress would be quicker without this requirement. He told us that “real progress was made” in developing the Strategy for publication in the summer of 2024, setting out “clear accountabilities on the UK Government side”, and focusing on defence and security, the environment and climate, the economy, communities and governance, but “clearly the [2024 general] election scuppered that”.⁷⁷
47. The Minister told us: “I inherited the start of a Strategy under the previous Administration. There was a strong feeling that that had been rushed and perhaps not consulted on as fully as it should have been”. The Minister confirmed that there is no intention to publish a Strategy and that, instead, the Government is developing a Charter of Engagement.⁷⁸ The Minister explained:
- “The Charter is intended to act as a general source of guidance for officials on the UK Government’s responsibilities to the OTs, embedding principles for engagement and bringing various policies and ways of working into one document. The Charter will reinvigorate and strengthen engagement with the Territories by bringing together existing policy and practice with some new ideas, placing them into one user friendly document—providing refreshed clarity and enhanced understanding of how the UK Government best interacts with the Territories ... The Charter is principally a UK Government vehicle for holding the whole of the UK Government clearly to account for UK responsibilities to the OTs. It is not designed to change the established relationship as set out in the 2012 White Paper, JMC agreements and the principles set out when this Government came to office.”⁷⁹
48. The Minister stated that the five engagement principles agreed in the 2024 JMC communiqué—devolution and democratic autonomy; “nothing about you without

⁷⁵ Written evidence from Stephen Doughty MP ([OTJ0021](#))

⁷⁶ Foreign, Commonwealth and Development Office, [Joint declaration of governments of the United Kingdom and British Overseas Territories: a modern partnership for a stronger British family](#), 14 December 2023

⁷⁷ [QQ 32–33](#) (David Rutley)

⁷⁸ [QQ 14, 22–23](#) (Stephen Doughty MP)

⁷⁹ Written evidence from Stephen Doughty MP ([OTJ0021](#))

you” (a phrase which was frequently mentioned by the Overseas Territories⁸⁰); partnership across all departments; good governance; and rights paired with responsibilities—will sit at the heart of the Charter, alongside a new principle: “the people of the Territories are considered in relevant UK Government policymaking and delivery”. It will also propose two new commitments: that every department provides a dedicated point of contact for the Territories, and that departments commit to factoring their responsibilities to the Territories into their business planning processes. The Minister affirmed that the Charter will be taken forward as a priority in 2026: it is currently with Government departments “for further refinements. We will share a final version with OTs ahead of publication.”⁸¹

49. David Rutley stressed the need for urgent progress given that it is now more than 18 months since the general election. He called for the Charter to “embody many of the aspects that we were looking to put into the Strategy”, to include full consultation with the Overseas Territories, and to be published.⁸²

50. Dr Rebecca Cairns-Wicks, Chief Minister of St Helena, welcomed the intention through the Charter “to get all Whitehall departments to understand their responsibility to the Overseas Territories”.⁸³ Cllr Ian Lavarello stated that, “if adopted across Whitehall, the Charter holds out the prospect of welcome new inclusion of our concerns in UK policy-making and delivery.”⁸⁴

51. The Minister stated that in its overall approach, the Government takes “the best from the previous White Paper, the best from the Joint Declaration ... and the Joint Ministerial Council communiqués and other documents, and then those collectively provide a very strong foundation.”⁸⁵ However, one consequence of this proliferation of documentation is uncertainty regarding their relative status and inter-relationship. Chris Carnegy, UK Representative, Government of Tristan da Cunha, said: “clarity is what we are after. Some way to codify and, if possible, to future-proof the statement of the UK-OT relationship would be extremely helpful.”⁸⁶

52. Blondel Cluff said that the White Paper “takes precedence” and “dominates the Joint Declaration of 2023, Compacts and anything else relating to us.” Yet she noted the Minister’s statement that “policies relating to the British Overseas Territories may be altered by parliamentary statements, ministerial correspondence, public statements and even speeches. That begs the question: what can we hang on to? What is it that we can rely on?”⁸⁷

53. Kim Wilkerson, Attorney General of Bermuda, agreed: “It has not been clear what is the guiding framework in our relationship ... That uncertainly leads Bermuda to ...

⁸⁰ See [Q 55](#) (Blondel Cluff), [Q 60](#) (Dr Natalio D Wheatley), [Q 73](#) (Chris Carnegy and Dr Rebecca Cairns-Wicks), and written evidence from the Falkland Islands Government ([OTJ0008](#)), the Government of Anguilla ([OTJ0013](#)), Bermuda Government ([OTJ0014](#)) and Cayman Islands Government ([OTJ0015](#)).

⁸¹ Written evidence from Stephen Doughty MP ([OTJ0021](#)). See also written evidence from the Bermuda Government ([OTJ0014](#)).

⁸² [Q 33](#) (David Rutley)

⁸³ [Q 67](#) (Dr Rebecca Cairns-Wicks)

⁸⁴ Written evidence from the Chief Islander of Tristan da Cunha ([OTJ0003](#))

⁸⁵ [QQ 22, 25](#) (Stephen Doughty MP)

⁸⁶ [Q 69](#) (Chris Carnegy)

⁸⁷ [QQ 56–57](#) (Blondel Cluff)

call for a revised, modernised White Paper that we understand would set the guiding principles.”⁸⁸ We discuss the case for a new White Paper below.

54. **The UK Government has stated that it will not publish a Strategy as envisaged in the Joint Declaration, but will instead produce a Charter of Engagement. We invite the UK Government to clarify the reason for this decision, the substantive difference between a Strategy and a Charter, whether and when the Charter will be published, whether and what consultation with the Overseas Territories has been undertaken on the scope and contents of the Charter, and how it will be kept under review.**
55. **The proliferation of extant and proposed documentation concerning the Overseas Territories since the publication of the White Paper in 2012 has engendered uncertainty about the status, relative standing and inter-dependence of the various documents. This uncertainty strengthens the case for publication of an overarching and definitive new White Paper. In the meantime, we call on the Government to clarify how the various documents relate to each other, which of them are still in force or to be developed in the future, and whether the 2012 White Paper continues to take precedence.**

A new White Paper

56. The Minister stated that, although the day-to-day relationship with the Territories has continued to evolve, “the 2012 White Paper continues to form the basis of the UK’s modern partnership with the OTs.” Nevertheless, he acknowledged that the 2012 White Paper has been “overtaken by events” and has gaps, notably the lack of focus on climate change and biodiversity, which the UK Government is seeking to address “through different means”. The Minister also acknowledged that “there is a difference of opinion” with the Overseas Territories, who have a “strong desire ... for a new White Paper”. He stated that “while this is not being pursued at the present juncture, we remain open-minded about future options”.⁸⁹
57. The Overseas Territories set out a strong case for a new White Paper. In the words of Chris Carnegy, “a White Paper would seem to be the gold standard in setting out the policy position of HMG.”⁹⁰ The Government of Anguilla said that the 2012 White paper was now “severely out of date”.⁹¹ Richard Hyslop, UK Representative, Falkland Islands Government, agreed, noting that it is “essentially not fit for purpose, because it relates to the UK’s relationship with the European Union and how that impacts the Overseas Territories.”⁹² Dr Rebecca Cairns-Wicks also noted that it “predates Brexit and significant global and domestic changes, including climate pressures, security challenges and the evolving economic realities of the British Overseas Territories”.⁹³

⁸⁸ [Q 55](#) (Kim Wilkerson)

⁸⁹ [OO 22. 25](#) (Stephen Doughty MP) and written evidence from Stephen Doughty MP ([OTJ0021](#))

⁹⁰ [Q 68](#) (Chris Carnegy)

⁹¹ Supplementary written evidence from the Government of Anguilla ([OTJ0020](#))

⁹² [Q 68](#) (Richard Hyslop)

⁹³ [Q 68](#) (Dr Rebecca Cairns-Wicks)

58. The Government of the Cayman Islands pointed out that, at the 2025 JMC, the Overseas Territories collectively offered to identify proposals for refreshing elements of the White Paper in response to developments in the global landscape since 2012, including geopolitical, economic, and environmental changes.⁹⁴ The Minister confirmed that “the OTs themselves are looking to put together some proposals for how they would like to see the overall relationship evolve and develop ... we will look at that with great interest and attempt to respond in kind.”⁹⁵
59. In that context, we draw attention to several cogent recommendations made by the Overseas Territories regarding the scope of a new White Paper. Fabian Picardo said: “The question has to be asked ... where the future of the Overseas Territories is in the constitutional architecture of the United Kingdom. In my submission, where we sit now does not sit comfortably with the United Kingdom’s obligations under the European convention, international human rights conventions or even the Human Rights Act. Those are issues that are not likely to be solved by a Compact; they would likely require more of the long-term thinking that a White Paper requires.”⁹⁶
60. The Government of Montserrat said that “the operating context has changed materially since 2012. Climate resilience, biodiversity, post-Brexit trade arrangements, financial transparency expectations and modern security risks now sit more centrally within the relationship.” They argued that a refreshed White Paper could clarify cross-government responsibilities, articulate roles and expectations, strengthen consultation expectations, support parliamentary scrutiny, and bring together the existing patchwork of documents into a single clear reference point.⁹⁷
61. Blondel Cluff said that, in connection with a new White Paper, there should be a review of the British Overseas Territories Act 2002, embedding of the cross-governmental approach to the Territories, and assurance that constitutions “reflect the standard of being British, which means that each and every one of our citizens is entitled to equality, equity and justice”.⁹⁸ Kim Wilkerson also called for an assessment of whether the British Overseas Territories Act remains fit for purpose.⁹⁹
62. **We strongly agree with the Overseas Territories that the 2012 White Paper is now badly out of date, and that a new White Paper is urgently required, not least to “bring together the existing patchwork of documents into a single clear reference point”.¹⁰⁰ We urge the UK Government to bring forward a White Paper during the next parliamentary session.**
63. ***In that context, we welcome the Minister for the Overseas Territories’ commitment to consider proposals from the Overseas Territories, and urge the UK Government to take account of the important range of issues that they put to us for inclusion in a new White Paper. Not least, a new White Paper***

⁹⁴ Written evidence from the Cayman Islands Government ([OTJ0015](#))

⁹⁵ [Q 22](#) (Stephen Doughty MP) and written evidence from Stephen Doughty MP ([OTJ0021](#))

⁹⁶ [Q 68](#) (Fabian Picardo)

⁹⁷ Supplementary written evidence from the Government of Montserrat ([OTJ0018](#))

⁹⁸ [Q 56](#) (Blondel Cluff)

⁹⁹ [Q 56](#) (Kim Wilkerson)

¹⁰⁰ Supplementary written evidence from the Government of Montserrat ([OTJ0018](#))

provides an opportunity for the UK Government, together with the Overseas Territories, to think more strategically about the constitutional relationship, and how it is likely to evolve in the future.

The Overseas Territories Joint Ministerial Council (JMC)

64. The Overseas Territories Joint Ministerial Council (JMC) is the apex forum for engagement between the UK Government and the Overseas Territories. It meets annually in London, bringing together UK ministers and elected leaders and representatives from the Overseas Territories to discuss issues of mutual interest and set strategic priorities for the year ahead.¹⁰¹ As we have seen, the Joint Declaration sets out that it is through this body that the signatories will be held accountable for implementation of their commitments.¹⁰² In evidence, we heard that the Council is co-chaired, and that the agenda is agreed through a collaborative process between the FCDO and the Overseas Territories.¹⁰³ Following each JMC, a jointly-agreed communiqué is published, describing progress and commitments across a range of issues.¹⁰⁴
65. Several of the Overseas Territories told us that the JMC is a valuable forum.¹⁰⁵ It provides the opportunity for collective discussion on shared and cross-cutting issues affecting the Territories.¹⁰⁶ It facilitates engagement with UK Government ministers and gives visibility to the Overseas Territories and the issues that they are facing.¹⁰⁷ The JMC also supports networking, relationship-building, and the sharing of learning, both between Territories themselves and between the UK Government and the Territories.¹⁰⁸ More broadly, as articulated by the Government of the Cayman Islands, it “plays a useful symbolic and practical role in reaffirming the partnership between the UK and the Overseas Territories”.¹⁰⁹
66. Nevertheless, we also heard that “in practice, its effectiveness is mixed”.¹¹⁰ Given its annual nature and the significant diversity of the Overseas Territories and their policy priorities, the JMC is necessarily high-level.¹¹¹ The Falkland Islands Government explained that “it will always be a challenge to put together an agenda that is of relevance to everyone, including the UK”, and the Government of the Cayman Islands emphasised that “there is an inevitable need to compromise when setting the agenda, which can limit the depth with which Territory-specific issues are

¹⁰¹ Written evidence from the Falkland Islands Government ([OTJ0008](#)) and UK Overseas Territories Conservation Forum ([OTJ0007](#))

¹⁰² Foreign, Commonwealth and Development Office, [Joint declaration of governments of the United Kingdom and British Overseas Territories: a modern partnership for a stronger British family](#), 14 December 2023

¹⁰³ Written evidence from the St Helena Government ([OTJ0017](#)) and [Q 12](#) (Professor Peter Clegg)

¹⁰⁴ Written evidence from Transparency International UK ([OTJ0010](#))

¹⁰⁵ Written evidence from the Falkland Islands Government ([OTJ0008](#)), Government of Anguilla ([OTJ0013](#)), Government of Montserrat ([OTJ0011](#)) and Cayman Islands Government ([OTJ0015](#))

¹⁰⁶ Written evidence from the Falkland Islands Government ([OTJ0008](#)), Government of Anguilla ([OTJ0013](#)), Government of Montserrat ([OTJ0011](#)) and Cayman Islands Government ([OTJ0015](#))

¹⁰⁷ Written evidence from the Government of Anguilla ([OTJ0013](#)) and British Virgin Islands Government ([OTJ0012](#))

¹⁰⁸ Written evidence from the St Helena Government ([OTJ0017](#)) and Cayman Islands Government ([OTJ0015](#))

¹⁰⁹ Written evidence from the Cayman Islands Government ([OTJ0015](#))

¹¹⁰ Written evidence from the British Virgin Islands Government ([OTJ0012](#))

¹¹¹ Written evidence from the Government of Anguilla ([OTJ0013](#)), Government of Montserrat ([OTJ0011](#)) and Cayman Islands Government ([OTJ0015](#))

addressed”.¹¹² It was also suggested that there “remains a structural imbalance in agenda-setting”, which gives the Overseas Territories “limited influence” over the matters discussed.¹¹³ Therefore, evidence from several of the Territories stressed that multilateral engagement at the JMC must be accompanied by regular bilateral engagement throughout the year to make progress on Territory-specific issues.¹¹⁴

67. Moreover, we heard that the effectiveness of the JMC is heavily dependent on the degree of UK ministerial participation, as the active involvement and presence of relevant ministers means that “discussions are more likely to translate into clear direction, follow-up action, and improved cross-departmental co-ordination”.¹¹⁵ However, “historically”, UK ministers “have failed to take sufficient interest in the JMC”, such that sessions have sometimes been chaired by officials rather than by ministers.¹¹⁶ The Government of Montserrat also suggested that “there were challenges in securing wider ministerial engagement beyond the FCDO” at the most recent JMC held in November 2025.¹¹⁷

68. Some of the Overseas Territories reflected that the quality of the JMC has improved in recent years. Cllr Ian Lavarello told us that “the JMC has proved a good, and increasingly an excellent, forum for co-operation”.¹¹⁸ This sentiment was echoed by the Falkland Islands Government, who told us that the FCDO has acknowledged the challenges and “worked hard to make the JMC a more significant and effective event”.¹¹⁹ This has resulted in greater ministerial participation from the UK Government and “virtually all sessions” now being chaired by a minister.¹²⁰

69. We also heard that a more systematic process has recently been put in place for monitoring progress against actions agreed, such that Dr Natalio D Wheatley, Premier of the British Virgin Islands, noted that the 2025 JMC “was one of the better ones, precisely because there was some level of follow-up on some of the issues that we had been speaking about for some time”.¹²¹ The Minister explained what this process looks like:

“At the JMC in 2024, we agreed nearly 80 practical actions together, covering everything from security and economic growth to climate resilience and good governance. I am pleased to say that we do not make these statements and then just leave them languishing on a piece of paper. We follow up on them with a regular tracker. I have held officials and teams, and indeed other ministers, to account for making sure that we deliver on our responsibilities, and 94% of the

¹¹² Written evidence from the Falkland Islands Government ([OTJ0008](#)) and Cayman Islands Government ([OTJ0015](#))

¹¹³ Written evidence from the British Virgin Islands Government ([OTJ0012](#))

¹¹⁴ Written evidence from the Falkland Islands Government ([OTJ0008](#)), Government of Anguilla ([OTJ0013](#)), Government of Montserrat ([OTJ0011](#)), British Virgin Islands Government ([OTJ0012](#)) and Cayman Islands Government ([OTJ0015](#))

¹¹⁵ Written evidence from the Cayman Islands Government ([OTJ0015](#)), Falkland Islands Government ([OTJ0008](#)) and supplementary written evidence from the Government of Montserrat ([OTJ0018](#))

¹¹⁶ Written evidence from the Falkland Islands Government ([OTJ0008](#))

¹¹⁷ Supplementary written evidence from the Government of Montserrat ([OTJ0018](#))

¹¹⁸ Written evidence from the Chief Islander of Tristan da Cunha ([OTJ0003](#))

¹¹⁹ Written evidence from the Falkland Islands Government ([OTJ0008](#))

¹²⁰ Written evidence from the Chief Islander of Tristan da Cunha ([OTJ0003](#)) and Falkland Islands Government ([OTJ0008](#))

¹²¹ Written evidence from the Chief Islander of Tristan da Cunha ([OTJ0003](#)), [Q 57](#) (Dr Natalio D Wheatley)

actions from that JMC have already been delivered or are well under way. We have a similar tracker for agreements that we made at the JMC just now.”¹²²

70. **Consistent ministerial engagement is crucial to the success of the Joint Ministerial Council. The Government should ensure that the Minister for the Overseas Territories is always available to chair the Council, and that other ministers attend when the agenda includes items within their remit.**
71. **Whilst the Joint Ministerial Council is valuable as a high-level, multilateral engagement forum, it is not a substitute for sustained bilateral engagement with each of the Overseas Territories. Formal ministerial engagement between the UK Government and the Overseas Territories must not be confined to the Joint Ministerial Council.**

The role of the Foreign, Commonwealth and Development Office (FCDO)

72. Within the UK Government, the FCDO is the primary department responsible for managing the relationship with the Overseas Territories and ensuring that the UK’s constitutional responsibilities towards them are fulfilled. Everyday engagement between the FCDO and the Overseas Territories takes place through several mechanisms, at both official and ministerial level.
73. Sir Philip Barton described “three layers” of engagement at official level. The first of these layers is the Governor who is based in the Territory. They are “responsible for the day-to-day relationship with the Chief Minister or Premier”, and are also “joined at the hip with headquarters and the Director in terms of overall approach”.¹²³ Lord McDonald of Salford emphasised that the role of Governor is now seen as an important senior role, so the FCDO “sends really good people who know they have a really important job to do”.¹²⁴
74. The second layer involves engagement between officials in the UK Government, including FCDO desk officers for each Territory in the Overseas Territories and Polar Directorate, and officials in the Territories. Sir Philip Barton described engagement at this layer as “quite common, particularly where departmental expertise is required to help Territories craft legislation or policies”.¹²⁵
75. Finally, the Overseas Territories appoint UK representatives based in London who engage with the FCDO on behalf of their Territory. The Government of the Cayman Islands argued that the volume of engagement by the FCDO at this level is “generally adequate”, but that the quality could be improved through “more open and candid dialogue”, which would help to “strengthen trust and reduce misunderstandings”.¹²⁶
76. Whilst strongly refuted by Sir Philip Barton, some witnesses told us that the frequent rotation of staff within the FCDO is a “persistent challenge”, undermining

¹²² [Q 14](#) (Stephen Doughty MP)

¹²³ [QQ 41-43](#) (Sir Philip Barton)

¹²⁴ [Q 41](#) (Lord McDonald of Salford)

¹²⁵ [Q 41](#) (Sir Philip Barton)

¹²⁶ Written evidence from the Cayman Islands Government ([OTJ0015](#))

institutional memory and “often requiring OT politicians and officials to ‘re-educate’ incoming UK civil servants”.¹²⁷

77. The Minister for the Overseas Territories provides a further engagement mechanism between the Territories and the UK Government. Mr Doughty has held this post since the general election in July 2024, alongside a broader portfolio also covering North America and Europe. As we have seen, the Minister emphasised that his approach to the relationship with the Territories is based on “openness and mutual respect”.¹²⁸

78. Several of the Overseas Territories spoke of having a good and constructive relationship with Mr Doughty as the current minister. Charles Washington Misick reflected that the Minister is “trying to be very receptive and accessible, which is helpful. The ability to communicate on a regular basis means that matters do not necessarily become stale and confrontational”.¹²⁹ Kim Wilkerson noted that the Minister has “made efforts” to visit the Territories, including Bermuda, during which he made “an effort to understand what our financial services sector looks like by being on the ground”, which “is important to us”.¹³⁰ The commitment to the Overseas Territories of predecessor ministers David Rutley and Lord Ahmad of Wimbledon was also acknowledged.¹³¹

79. Richard Hyslop suggested that the quality of ministers has improved in recent years. He said, “we have had really good ministers who take a great interest in the Overseas Territories and have a passion and drive that across Whitehall”. By contrast, “in the past, we have had ministers that are less interested”, which is significant because “a lot of the relationship is personality-driven”.¹³²

80. Ministerial churn has also been a problem. We heard that there has in the past been “a lot of ministerial change” such that “ministers changed every five minutes”, despite the relationships with the Overseas Territories being “deeply personal” and benefiting from “some consistency of approach and practice”.¹³³ Thus Dr Natalio D Wheatley described this turnover as an “unfortunate experience”.¹³⁴ The frequent change in ministers, and their different approaches to the role, has demonstrated the importance of individuals to the effectiveness of the relationship between the FCDO and the Overseas Territories.¹³⁵

81. The strength and effectiveness of the relationship between the Overseas Territories and the UK Government is heavily dependent on the interest and commitment from time to time of the Minister for the Overseas Territories. Recent ministers have approached the role with dedication, but this cannot be relied upon. The regular turnover of FCDO ministers

¹²⁷ [Q 42](#) (Sir Philip Barton), and written evidence from Professor Peter Clegg ([OTJ0001](#)) and the Cayman Islands Government ([OTJ0015](#))

¹²⁸ [Q 14](#) (Stephen Doughty MP)

¹²⁹ [Q 58](#) (Charles Washington Misick)

¹³⁰ [Q 58](#) (Kim Wilkerson)

¹³¹ [Q 39](#) (Lord McDonald of Salford), [Q 55](#) (Dr Natalio D Wheatley), [OO 67. 70](#) (Richard Hyslop) and [Q 70](#) (Chris Carnegie), and written evidence from the Falkland Islands Government ([OTJ0008](#))

¹³² [Q 70](#) (Richard Hyslop)

¹³³ [Q 39](#) (Lord McDonald of Salford) and [Q 14](#) (Stephen Doughty MP)

¹³⁴ [Q 57](#) (Dr Natalio D Wheatley)

¹³⁵ [Q 70](#) (Richard Hyslop, Fabian Picardo, Chris Carnegie)

and officials has had a detrimental impact on inter-personal relationships with the Overseas Territories and institutional memory. The UK Government should keep in mind the particular importance for the Overseas Territories, given the breadth, sensitivity and significance of their relationship with the UK, of continuity at ministerial and official level. It should therefore only make changes to ministerial and official responsibilities for the Overseas Territories sparingly. The UK Government should also ensure that processes for regular engagement are deeply embedded within the FCDO so that they are not vulnerable to changing personalities.

82. Several of the Overseas Territories were positive about their current relationship with the FCDO and the support that they receive from that department. The Falkland Islands Government told us that their relationship with the Foreign Office is “overwhelmingly positive”. They described the combination of four full time members of staff dedicated to Falklands issues, the Governor’s office based in the Falklands, and UK embassies in Latin America, as “a tremendous resource at our disposal”.¹³⁶ Chris Carnegy was particularly pleased that ministers and officials within the FCDO “invest in getting to know the Overseas Territories”.¹³⁷ Dr Rebecca Cairns-Wicks provided a recent practical example demonstrating her Territory’s “positive relationship” with the FCDO. She explained that, when St Helena’s airport was temporarily closed in February 2026 due to technical issues, effective co-ordination between St Helena’s Government, the Governor’s office, FCDO officials, and the Minister for the Overseas Territories, ensured that “we were able to very quickly return regular, scheduled flights”.¹³⁸
83. However, other witnesses suggested that the quality and quantity of engagement with the FCDO, particularly at ministerial level, varies significantly between the Territories. Blondel Cluff expressed frustration that, whilst some Territories benefit from significant bilateral engagement at a ministerial level, “for those of us within the Caribbean and Bermuda, who account for 81% of the population of the British Overseas Territories, our engagement may be a matter of minutes per annum, which I do not think is adequate”.¹³⁹
84. Lord McDonald of Salford suggested that the Falkland Islands, Gibraltar, and Bermuda have the best access to UK Government ministers, “while the others trail behind, with the most remote getting least attention”.¹⁴⁰ He summed this up as follows: “some of them do very well indeed and others not so”, for which “there is usually an explanation in history or political interest”.¹⁴¹ For example, Fabian Picardo described Gibraltar’s “extraordinarily fluid” engagement with the Prime Minister and the Foreign Secretary in the early 2010s, in response to sovereignty claims from “a very aggressive Spanish Government”.¹⁴² In addition, during the UK’s exit from the EU, a Joint Ministerial Council on Gibraltar EU Negotiations (JMC (GEN)) was established, providing “a dedicated forum to engage directly with the Chief Minister of Gibraltar,

¹³⁶ [Q 70](#) (Richard Hyslop) and written evidence from the Falkland Islands Government ([OTJ0008](#))

¹³⁷ [Q 70](#) (Chris Carnegy)

¹³⁸ [Q 69](#) (Dr Rebecca Cairns-Wicks) and written evidence from the St Helena Government ([OTJ0017](#))

¹³⁹ [Q 57](#) (Blondel Cluff)

¹⁴⁰ [Q 43](#) (Lord McDonald of Salford)

¹⁴¹ [Q 43](#) (Lord McDonald of Salford)

¹⁴² [Q 69](#) (Fabian Picardo)

understand his priorities, and ensure Gibraltar’s interests were fully reflected as negotiations progressed”.¹⁴³

85. Variations may also occur for other reasons. For example, Kei-Retta Farrell, Montserrat’s UK Representative, suggested that the Government of Montserrat’s engagement with the UK Government is more regular and structured than what some other Territories experience, as a result of it being a recipient of Official Development Assistance.¹⁴⁴ The Minister provided further detail on what additional engagement takes place for Territories eligible for Official Development Assistance, explaining that FCDO delegations undertake annual Budget Support Missions to Montserrat and Financial Aid Missions to St Helena. These are supported by mid-year reviews and ongoing working level meetings to measure progress against programme milestones and indicators.¹⁴⁵
86. **We acknowledge perceptions of an inequality of treatment of the Overseas Territories by the FCDO. Whilst there are legitimate reasons for increased focus on specific Territories, particularly at times of crisis or opportunity, this can cause frustration amongst those Territories that struggle to capture the attention of the UK Government. Furthermore, recent decades have shown that any of the Territories may face specific challenges that require the UK’s attention and assistance (including challenges indirectly to the UK), and that these challenges often arise unexpectedly. The UK Government must therefore ensure that opportunities for engagement, particularly at ministerial level, apply to all Territories in a consistent and even-handed way.**
87. More broadly, there is some debate around the appropriateness of the FCDO being the UK Government department responsible for the Overseas Territories. The Joint Declaration describes the Overseas Territories as part of the “British family”, and the Minister described them as “valued and hugely respected parts of our global family”.¹⁴⁶ Despite this, their gateway into the UK Government is the *Foreign, Commonwealth and Development Office*, even though, as the Government of the Cayman Islands wrote, the Overseas Territories “are neither foreign nor Commonwealth members”.¹⁴⁷
88. Some witnesses suggested that the Cabinet Office may be a more appropriate location for the Overseas Territories—a shift that would clearly demonstrate that the Territories are engaging with the UK Government as members of the British family. It was also suggested that this could have the positive effects of facilitating more streamlined cross-Whitehall engagement as well as the creation of a career pathway for civil servants centred around governance issues.¹⁴⁸ Nevertheless, it was noted that there would still be inconsistencies with departmental responsibility for

¹⁴³ Written evidence from Stephen Doughty MP ([OTJ0021](#))

¹⁴⁴ [Q 57](#) (Kei-Retta Farrell)

¹⁴⁵ Written evidence from Stephen Doughty MP ([OTJ0021](#))

¹⁴⁶ Foreign, Commonwealth and Development Office, [Joint declaration of governments of the United Kingdom and British Overseas Territories: a modern partnership for a stronger British family](#), 14 December 2023; [Q22](#) (Stephen Doughty MP)

¹⁴⁷ Written evidence from the Cayman Islands Government ([OTJ0015](#))

¹⁴⁸ [Q 57](#) (Blondel Cluff), and [Q 70](#) (Fabian Picardo), and written evidence from the Cayman Islands Government ([OTJ0015](#))

the UK's relations with the Crown Dependencies, which lies with the Ministry of Justice.¹⁴⁹ Moreover, we also heard evidence that, for some of the Territories, the FCDO is an effective department in which to be located. Richard Hyslop, for example, said of the Falkland Islands that “many of our issues are Foreign Office issues, by dint of the geopolitics”, and, therefore, the “Foreign Office is a good place to be”.¹⁵⁰

89. It is important that there is a department within the UK Government that has overall responsibility for managing the relationship with the Overseas Territories. To best support the Territories, this department needs to invest in developing strong relationships with each of the Territories and in maintaining deep institutional knowledge about them all, at the same time acknowledging the impact that the changing geopolitical picture may have on these relationships.

90. The Government should review the appropriateness of, and set out the rationale for, responsibilities relating to the Overseas Territories remaining in the FCDO. In doing so, it should consider how to develop a career pathway for civil servants specialising in the Overseas Territories.

Engagement with other UK Government departments

91. Engagement with UK Government departments beyond the FCDO is essential for progress to be made on issues affecting the Overseas Territories. Increasingly, the Territories have established direct relationships with a range of departments, without needing to rely on the involvement of the FCDO to facilitate these.¹⁵¹ The Minister told us that “we actively encourage this”.¹⁵²

92. Several of the Territories spoke positively of the relationships that they have established with various UK Government departments and agencies. The Government of the British Virgin Islands described a “deepening partnership” with the UK Health Security Agency (UKHSA), co-operating on surveillance, laboratory systems and emergency preparedness. They described this relationship as having “evolved from ad-hoc technical support into a sustained and collaborative engagement”.¹⁵³ The Falkland Islands Government described their relationship with Defra as “highly productive and tailored to the needs of the Falkland Islands”. This has involved Defra officials making two visits to the Islands, helping to “advance scientific work to understand the carbon emissions from peatland habitats and provided valuable training to stakeholders on managing wildfires”.¹⁵⁴ We heard that St Helena has “strong relationships” with Defra, DHSC, UKHSA, and the Home Office, whilst the Cayman Islands Government has developed structured engagement through recurring meetings with HM Treasury and DHSC.¹⁵⁵

¹⁴⁹ [Q 70](#) (Chris Carnegy)

¹⁵⁰ [Q 70](#) (Richard Hyslop)

¹⁵¹ [Q 39](#) (Sir Philip Barton), and written evidence from the Chief Islander of Tristan da Cunha ([OTJ0003](#)), Falkland Islands Government ([OTJ0008](#)), Government of Montserrat ([OTJ0011](#)), British Virgin Islands Government ([OTJ0012](#)) and Cayman Islands Government ([OTJ0015](#))

¹⁵² [Q 20](#) (Stephen Doughty MP)

¹⁵³ Written evidence from the British Virgin Islands Government ([OTJ0012](#))

¹⁵⁴ Written evidence from the Falkland Islands Government ([OTJ0008](#))

¹⁵⁵ [Q 69](#) (Dr Rebecca Cairns-Wicks) and written evidence from the Cayman Islands Government ([OTJ0015](#))

93. The negotiation of the recently-published UK-EU Agreement in respect of Gibraltar is a specific example of the positive outcomes that constructive engagement with the Overseas Territories can yield. The Minister explained that the UK Government was clear from the beginning of the process that alongside “protecting the UK’s clear interests in relation to our military base and sovereignty, we were not going to do anything that the Government of Gibraltar were not content with”.¹⁵⁶ As a result, the Gibraltarians were closely involved in the negotiations throughout. Fabian Picardo attributed the success of the negotiations with the EU to Gibraltar working “hand in glove and in partnership with” the UK Government. By contrast, he argued that earlier agreements have failed as a result of being “entered into by the United Kingdom over the heads of the Gibraltarians”.¹⁵⁷ Professor Peter Clegg argued that this example clearly demonstrates the need to bring together Overseas Territories and the UK Government “from the earliest possible moment” when there is a difficult issue to work through.¹⁵⁸

94. Others pointed to the development of Defra’s UK Overseas Territories biodiversity strategy, updated in November 2025, as a positive example of engagement between the Territories and the UK Government.¹⁵⁹ The Joint Nature Conservation Committee was commissioned by Defra to develop the strategy in consultation with the Territories, which we heard resulted in “early, sustained and meaningful engagement”. Consultation involved holding workshops in every Territory to understand local views and priorities, as well as ongoing engagement throughout the development of the strategy, providing opportunities for “dialogue, feedback, and iterative input”. The resulting strategy thus reflects local, Territory-specific contexts whilst maintaining an overarching strategic ambition.¹⁶⁰ The Government of the Cayman Islands suggested that there are lessons that can be learned more broadly from this experience. They wrote:

“This example demonstrates that engagement is most effective where it is continuous rather than transactional, where departments are willing to engage directly with Territories as partners, and where consultation is accompanied by visible incorporation of Territory input into final outcomes. It provides a strong model for future engagement on complex, cross-cutting policy issues and illustrates the benefits of early involvement, transparency, and shared ownership in policy development.”¹⁶¹

95. These shared features of positive engagement were echoed by others. We heard that engagement is most effective when the Overseas Territories are involved at an early stage of decision-making and this dialogue is sustained throughout.¹⁶² This reflects genuine collaboration and partnership, rather than merely procedural consultation.¹⁶³

¹⁵⁶ [Q 18](#) (Stephen Doughty MP). Detailed scrutiny of the UK-EU Agreement concerning Gibraltar is being undertaken by the House of Lords European Affairs Committee.

¹⁵⁷ [Q 63](#) (Fabian Picardo)

¹⁵⁸ [Q 7](#) (Prof Peter Clegg)

¹⁵⁹ Written evidence from the St Helena Government ([OTJ0017](#)), Cayman Islands Government ([OTJ0015](#)) and Falkland Islands Government ([OTJ0008](#))

¹⁶⁰ Written evidence from the St Helena Government ([OTJ0017](#)) and Cayman Islands Government ([OTJ0015](#))

¹⁶¹ Written evidence from the Cayman Islands Government ([OTJ0015](#))

¹⁶² Written evidence from the Government of Anguilla ([OTJ0013](#)), Government of Montserrat ([OTJ0011](#)) and Cayman Islands Government ([OTJ0015](#))

¹⁶³ Written evidence from the UK Overseas Territories Conservation Forum ([OTJ0007](#)), British Virgin Islands Government ([OTJ0012](#)), Cayman Islands Government ([OTJ0015](#)) and Government of Anguilla ([OTJ0013](#))

In addition, several witnesses noted that successful engagement involves shared objectives, clarity over roles and responsibilities, and an understanding of the Territory and any capacity constraints that it may face.¹⁶⁴

96. Constructive UK Government departmental engagement with the Overseas Territories requires early engagement, ongoing and transparent communication, and clarity over roles and responsibilities, particularly between UK departments. These principles should be reflected in the upcoming UK Government Charter on Engagement as the basis for engagement with the Overseas Territories.

97. Despite these examples of positive engagement between the UK Government and the Overseas Territories, we heard that the quality of engagement varies significantly across departments and policy areas. Several of the Territories told us that the effectiveness of engagement is “mixed” and “uneven” across Whitehall, as some departments are less closely engaged with Overseas Territories matters than others.¹⁶⁵ In these departments, engagement often depends on the strength of relationships with individual officials, leaving the Territories “reliant on individuals who might show an interest at a particular time”.¹⁶⁶

98. More broadly, we heard that information-sharing can be reactive, transparency around decision-making can be lacking, and consultation can happen late in the policy-making process.¹⁶⁷ Ownership of issues can be unclear, especially when they are cross-cutting and engage multiple departments.¹⁶⁸ David Rutley argued that “there needs to be clear accountability so that not just the Premier knows who to pick up the phone to or send an email to ... to tackle an issue”. He also suggested that there is a lack of understanding in some departments about the Overseas Territories and the impact that policies will have on them.¹⁶⁹ This was echoed by the Falkland Islands Government, who told us that “there is often a failure to understand that we are a small territory, with an even smaller government, and that the Falkland Islands Government is both a local and a national government”. This is significant because “work that may seem routine in a larger government ... impacts our day-to-day work much more than is often appreciated”.¹⁷⁰

99. These frustrations among the Territories were clear in several policy areas. For example, the Government of Anguilla described how pensioners retiring in the Caribbean after working in the UK have their UK state pensions frozen, such that “they are not treated equally with other retirees residing in the UK”. In addition, they said that Anguilla has repeatedly requested changes to the Territory’s access to free NHS treatment through the NHS quota system, which they suggested is unequal

¹⁶⁴ Written evidence from the Cayman Islands Government ([OTJ0015](#)), UK Overseas Territories Conservation Forum ([OTJ0007](#)), Government of Montserrat ([OTJ0011](#)) and British Virgin Islands Government ([OTJ0012](#))

¹⁶⁵ Written evidence from the Government of Montserrat ([OTJ0011](#)), Government of Anguilla ([OTJ0013](#)) and Cayman Islands Government ([OTJ0015](#))

¹⁶⁶ Written evidence from the St Helena Government ([OTJ0017](#)), Government of Montserrat ([OTJ0011](#)) and Government of Anguilla ([OTJ0013](#))

¹⁶⁷ [Q 73](#) (Dr Rebecca Cairns-Wicks), written evidence from the Cayman Islands Government ([OTJ0015](#)), Government of Anguilla ([OTJ0013](#)) and Government of Montserrat ([OTJ0011](#))

¹⁶⁸ Written evidence from the British Virgin Islands Government ([OTJ0012](#)), Cayman Islands Government ([OTJ0015](#)) and supplementary written evidence from the Government of Montserrat ([OTJ0018](#))

¹⁶⁹ [Q 35](#) (David Rutley)

¹⁷⁰ Written evidence from the Falkland Islands Government ([OTJ0008](#))

across the Overseas Territories.¹⁷¹ Similarly, the Government of Montserrat told us that the issues of the uprating of UK state pensions and access to NHS services remain unresolved “despite longstanding discussion”.¹⁷² Other issues that were frequently raised included access to affordable pharmaceuticals, UK passport e-gates, and student maintenance loans.¹⁷³

100. The frustrations that these ongoing issues generate was summarised by Richard Hyslop, who said, “if you have phrases such as the ‘UK family’, and ‘we are part of the UK family’, issues such as pharmaceutical procurement ... or frozen pensions ... should not exist”.¹⁷⁴ Montserrat described these as areas “where our constitutional status intersects with wider UK systems in ways that produce inequitable outcomes”, potentially revealing deeper tensions around misalignment between UK and Overseas Territory interests and the relative priorities of these issues between governments.¹⁷⁵ The Government of the Cayman Islands suggested that “greater clarity about where responsibility lies, what obstacles exist, and what realistic pathways to resolution may be available would support more effective engagement” on issues such as these.¹⁷⁶

101. We also heard concerns from several of the Overseas Territories around the quality of engagement in relation to UK legislation and international agreements. It was noted that the quality and effectiveness of consultation is “variable”, and that in some cases “consultation is meaningful and timely; in others, it is late, limited, or largely procedural”.¹⁷⁷ It is often lacking when UK legislation or international agreements have indirect, rather than direct, implications for the Overseas Territories, even when these are significant.¹⁷⁸ The Falkland Islands Government argued that a lack of consultation is unlikely to be deliberate, but instead is “because ministers or officials did not either think to include us or understand that we would be impacted”.¹⁷⁹

102. A frequently-raised example of this happening in practice was in relation to negotiations on the UK’s exit from the European Union.¹⁸⁰ Richard Hyslop told us that the UK Government did not seek a mandate to include the Overseas Territories in the negotiations, thus resulting in the Falkland Islands now being subject to tariffs on their fisheries exports to the EU, and “are still struggling, all these years later, to try to work out how we can disentangle that situation”.¹⁸¹ Similarly, Blondel Cluff told us that Anguilla was “overlooked” in the process, despite doing “a great deal of star jumping”.¹⁸²

¹⁷¹ Written evidence from the Government of Anguilla ([OTJ0013](#))

¹⁷² Written evidence from the Government of Montserrat ([OTJ0011](#))

¹⁷³ Written evidence from the St Helena Government ([OTJ0017](#)), Cayman Islands Government ([OTJ0015](#)) and British Virgin Islands Government ([OTJ0012](#))

¹⁷⁴ [Q 69](#) (Richard Hyslop)

¹⁷⁵ [Q 6](#) (Dr Derek O’Brien) and [Q 42](#) (Sir Philip Barton, Lord McDonald of Salford), and written evidence from the Government of Montserrat ([OTJ0011](#))

¹⁷⁶ Written evidence from the Cayman Islands Government ([OTJ0015](#))

¹⁷⁷ Written evidence from the Falkland Islands Government ([OTJ0008](#)), Government of Anguilla ([OTJ0013](#)) and Cayman Islands Government ([OTJ0015](#))

¹⁷⁸ Written evidence from the British Virgin Islands Government ([OTJ0012](#))

¹⁷⁹ Written evidence from the Falkland Islands Government ([OTJ0008](#))

¹⁸⁰ [Q 60](#) (Dr Natalio D Wheatley), [Q 62](#) (Blondel Cluff), written evidence from the St Helena Government ([OTJ0017](#)) and Falkland Islands Government ([OTJ0008](#))

¹⁸¹ [Q 73](#) (Richard Hyslop)

¹⁸² [Q 62](#) (Blondel Cluff)

103. We heard that this limited engagement has also been the case with other international agreements, such as trade agreements, entered into by the UK. For example, the Overseas Territories may only be informed about the agreements once negotiations have been completed, and then asked if they would like an agreement to extend to them “with perhaps 12 hours’ notice”, thus resulting in the consultation being largely procedural rather than substantive because “at the last moment someone thinks that they should check with us”.¹⁸³ At other times, they may find out that a piece of legislation or an agreement has an impact on them only “because we have read something in the news or been at an event where it has been raised by someone else”.¹⁸⁴
104. Chris Carnegy argued that the Crown Dependencies have stronger safeguards against direct legislation than the Overseas Territories.¹⁸⁵ Richard Hyslop argued for a formal check for the impact of such legislation on the Overseas Territories, in the same way as happens for the devolved nations.¹⁸⁶ David Rutley called for the Parliamentary Business and Legislation (PBL) Cabinet Committee to review “whether the OTs are genuinely fully consulted as far as possible ... before clearance is finally given” for the introduction of legislation.¹⁸⁷
105. In recent years, mechanisms have been put in place to facilitate improved co-ordination and awareness of Overseas Territory issues across Whitehall. We heard that there is now a designated minister in each department who is responsible for Overseas Territories matters, and these ministers are regularly brought together in a cross-government ministerial group.¹⁸⁸ The Minister told us that he chairs this group, and views his role in this forum as being: “to make sure that other ministers across government deliver on their responsibilities, and that other departments that perhaps do not have such a day-to-day experience or engagement with the OTs understand where their responsibilities lie, and how they need to be fulfilled”.¹⁸⁹ The ministerial group is accompanied by a directors’ board at official level “to keep departments joined up”, and, as we have set out, a new UK Government Charter on Engagement is currently being developed to improve departments’ understanding of their responsibilities.¹⁹⁰
106. Dr Rebecca Cairns-Wicks suggested that these initiatives have “increased awareness” around the Overseas Territories and departments’ responsibilities towards them.¹⁹¹ The Falklands Islands Government described them as “clearly a work in progress” as “some departments appear more engaged than others”, but “welcomed the direction of travel and the fact that this is being driven at ministerial level”.¹⁹² More specifically, the Government of the Cayman Islands noted that there is

¹⁸³ [Q 60](#) (Dr Natalio D Wheatley), [Q 73](#) (Fabian Picardo), written evidence from the Falkland Islands Government ([OTJ0008](#)) and Government of Anguilla ([OTJ0013](#))

¹⁸⁴ Written evidence from the Falkland Islands Government ([OTJ0008](#))

¹⁸⁵ [Q 73](#) (Chris Carnegy), written evidence from the Chief Islander of Tristan da Cunha ([OTJ0003](#))

¹⁸⁶ [Q 73](#) (Richard Hyslop), written evidence from the Falkland Islands Government ([OTJ0008](#))

¹⁸⁷ [Q 36](#) (David Rutley)

¹⁸⁸ [Q 14](#) (Stephen Doughty), written evidence from the St Helena Government ([OTJ0017](#)) and Falkland Islands Government ([OTJ0008](#))

¹⁸⁹ [Q 14](#) (Stephen Doughty)

¹⁹⁰ [Q 14](#) (Stephen Doughty)

¹⁹¹ Written evidence from the St Helena Government ([OTJ0017](#))

¹⁹² Written evidence from the St Helena Government ([OTJ0017](#)) and Falkland Islands Government ([OTJ0008](#))

“little visibility of agendas, discussions, or outcomes” of the ministerial group, and that this could be improved.¹⁹³ The Minister told us that he welcomes “the opportunity for elected OT governments to help shape the agenda and to be informed of the group’s outcomes”, but it is unclear whether processes are already in place to facilitate this.¹⁹⁴

107. **A cross-Whitehall culture that respects and values the Overseas Territories is central to effective engagement. The FCDO should play a more active role across government in educating officials in other departments about the Overseas Territories and the UK’s constitutional relationship with them. This should involve practical guidance about when and how to engage with the Territories at official level.**

108. **We welcome the Minister for the Overseas Territories’ statement that the Charter of Engagement will commit to a dedicated point of contact for the Overseas Territories in each Government department. The UK Government should ensure that a list of these officials is made available to Territory governments as soon as possible and updated annually.**

109. **Structured processes should be put in place ahead of the next meeting of the ministerial group on the Overseas Territories to provide the Territories with the opportunity to feed into the agenda. The final agenda and a readout of the meetings should also be shared with them.**

Conclusion

110. **The relationship between the UK and the Overseas Territories is of fundamental constitutional importance. The Minister for the Overseas Territories told us that the UK Government’s approach is based on “openness and mutual respect”, and that the relationship “is definitely the strongest that it has been in a number of years”.¹⁹⁵ We heard that the relationship has been strengthened and modernised in recent years, and we recognise the positive progress that has been made under recent ministers. We were also, however, made aware of a range of examples that suggest that openness and respect for the Overseas Territories is not yet consistently embedded across the UK Government’s engagement with the Territories. These include:**

- **the lack of a dedicated mechanism for structured monitoring or assessment of delivery on the commitments set out in the Joint Declaration, the 2012 White Paper and other published framework documents;**
- **the lack of delivery of a number of commitments made in these documents;**
- **in particular, the lack of urgency in delivering bilateral Partnership Compacts in spite of the enthusiasm of many Overseas Territories;**

¹⁹³ Written evidence from the Cayman Islands Government ([OTJ0015](#))

¹⁹⁴ Written evidence from Stephen Doughty MP ([OTJ0021](#))

¹⁹⁵ [QQ 14, 23](#) (Stephen Doughty MP)

- furthermore, the failure to fulfil the commitment to a new Strategy, or to produce a new White Paper, despite the 2012 White Paper being badly out of date;
- the lack of information shared with the Overseas Territories about the work of the ministerial group on the Overseas Territories;
- the detrimental impact on inter-personal relationships of the regular turnover of FCDO ministers and officials with responsibility for the Overseas Territories;
- inconsistent engagement with the Overseas Territories by other Government departments, together with a lack of understanding of the implications for the Territories of policy decisions; and
- a perceived lack of equity in the treatment of Overseas Territories.

111. *The UK Government must commit to structurally embedding the features of positive engagement with the Overseas Territories, to support a respectful, reciprocal and constructive relationship for the long-term. This should begin with the publication of a new White Paper in the next parliamentary session.*