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Dear David

24 October 2016

Thank you for your kind words in the Chamber on my election as Chair of the Committee on Exiting the European Union.

I was pleased to see your comments about the importance of parliamentary accountability and your commitment to engage with and consult Parliament as widely as possible. I hope that the Committee's scrutiny will contribute to achieving an agreement which is in the best interests of the United Kingdom.

Before the Committee begins its work, I thought that it would be useful if you were able to set out your thoughts on how you and your Department will engage with Parliament and with this Committee.

You have indicated that we will receive at least the same level of information during negotiations as the European Parliament and it would be useful to clarify from the beginning what this will mean. I am writing at this stage in a personal capacity, but I would like to be able to present your thoughts to the Committee at its first meeting. In its recent report on *Brexit: parliamentary scrutiny*, the House of Lords European Union Committee identified the principles underpinning the European Parliament's scrutiny of international negotiations (paragraph 59). On the basis of the Lords Committee's analysis, this would mean that this Committee might be able to expect:

- appropriate access to relevant documents, including draft negotiating objectives, draft amendments to those objectives, draft negotiating texts, agreed articles and draft agreements;
- provision of these documents in sufficient time for the Committee to be able to express its view (and/or elicit views from other Committees), and for the Government to take account of the Committee's view;
- the Government to respond to Committee recommendations in a timely manner and to explain fully where any recommendations are not accepted; and
- consideration to be given to information being provided on a confidential basis to the Committee.

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I also, personally, agree with the conclusion of the Lords Committee that while Parliament should not seek to micromanage negotiations, it would not be acceptable for parliamentary scrutiny to be purely retrospective. The Committee and Parliament must be able both to monitor the conduct of negotiations and to comment constructively on the substance of the Government's negotiating objectives as they develop, as well as on the final agreement.

In the light of your commitments I would be grateful if you could set out the proposed terms on which you will engage with Parliament, and this Committee in particular, during the process of formulating the Government's negotiating objectives and during the conduct of negotiations. I would also be grateful if you could set out your timetable for the publication of your negotiating objectives.

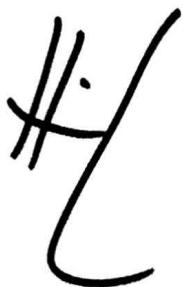
The Prime Minister has also announced that there will be a Great Repeal Bill in the next session to make provision in domestic law for withdrawal from the EU. The Prime Minister has stressed the importance of ensuring that the Bill be "subject to full scrutiny and proper Parliamentary debate". I would therefore be grateful if you could let me know what consideration has been given to publishing this Bill in draft so that this Committee, and other Committees, may examine its provisions in detail before formal consideration by both Houses.

Finally, the Constitutional Reform and Governance Act 2010 specifies requirements around Treaties being laid before Parliament prior to ratification. I would be grateful for confirmation that Section 20 of the Act will apply to any withdrawal agreement and associated Treaty.

It would be very helpful if you could reply by Monday 31 October. I realise that this is a very tight deadline but I expect the Committee to hold its first meeting next week and I am keen for Members to be aware of your position on these important matters before we start our work.

I look forward to hearing from you.

Yours ever

A handwritten signature in black ink, appearing to be 'H. Benn', written in a cursive style.

RT HON HILARY BENN MP