



European Scrutiny Committee

House of Commons London SW1A 0AA Tel (020) 7219 5465/3292 Email escom@parliament.uk Website www.parliament.uk/escom

From: Sir William Cash MP, Chair

13 December 2017

Rt Hon David Davis MP
Department for Exiting the European Union
70 Whitehall
London
SW1A 2AS

At our meeting last week my Committee discussed the information made available by the Government in Explanatory Memoranda on how decisions have been reached in the Councils. We consider that in the interests of transparency, and in order that we may fulfil our scrutiny role effectively, all Explanatory Memoranda should include a clear statement on the Government's position on issues raised by the document under scrutiny and also a detailed account of the process by which Council has arrived at an agreed text, where relevant, including where the Government has expressed a different view.

We will be monitoring future Explanatory Memoranda on this basis and we should be grateful if you could ensure that all departments are aware of this requirement.

CHAIR



Department
for Exiting the
European Union

Rt Hon David Davis MP
Secretary of State for
Exiting the European Union
9 Downing Street
SW1A 2AG

+44 (0)20 7004 1234
psdaviddavis@dexeu.gov.uk
www.gov.uk

Sir William Cash MP
Chair
European Scrutiny Committee
House of Commons
London SW1A 0AA

21st December 2017

Dear Bill

INFORMATION PROVIDED TO THE EUROPEAN SCRUTINY COMMITTEE

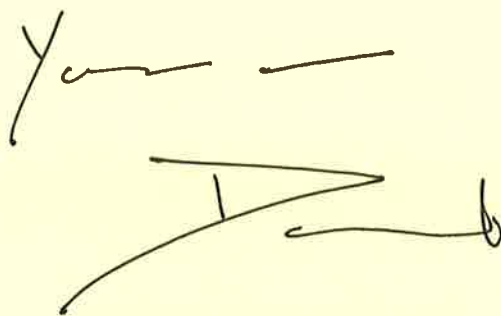
Thank you for your letter of 13 December 2017 about information provided to the Committee as part of the Government's continued engagement on ongoing EU business.

I am grateful for the information provided by the Clerk of the Committee to underpin the concerns expressed in your letter. I understand the Committee has been particularly frustrated by:

- the poor quality of the information provided in some Explanatory Memoranda (EMs) on policy implications including in some cases where EMs did not include a statement of the position that the UK took in the Council where decisions had already been reached, and on EU exit considerations more generally;
- poor follow-up on Committee questions in correspondence both in terms of quality of information provided and on timeliness; and
- departments not meeting established commitments to keep the Committee informed of mandates for discussions with the European Parliament on legislative proposals.

The Government remains committed to the scrutiny process. I have asked officials to circulate this exchange of correspondence to all departments with a reminder of the commitments I gave on behalf of the Government recently when I replied to the Committee's report from 7 April on "Brexit and the European Scrutiny System in the House of Commons". I have also asked officials to work closely with the Clerk of your Committee on best practice issues.

[I have copied this letter to Lord Boswell, Chair of the House of Lords European Union Committee.]

A handwritten signature in black ink, appearing to read 'David Davis', written in a cursive style.

RT HON DAVID DAVIS MP
SECRETARY OF STATE FOR EXITING THE EUROPEAN UNION