



Political and Constitutional Reform Committee

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Sam Gyimah MP
Minister for the Constitution
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13 January 2015

Dear Sam,

Thank you for sending me the Government's response to my Committee's report, *Fixed-term Parliaments: the final year of a Parliament*. As you may have seen, we published this as a Special Report on 19 December 2014.

The Committee was sorry to see that the Government did not respond positively to many of the recommendations we made. We wished to seek further information on a couple of points. These are:

1. Pre-legislative scrutiny

We concluded "pre-legislative scrutiny should be an integral and mandatory part of the consideration of every bill, unless there is an accepted and pressing need for immediate legislation". The Government's response stated:

The Government believes that a flexible approach to the scrutiny of legislation best serves the interests of both the House and departments and to enshrine a presumption [of pre-legislative scrutiny] in Standing Orders would be both unnecessary and ineffective.

If the Government is unwilling to commit to a more formal approach to conducting pre-legislative scrutiny, will it at least commit to stating the reasons for the particular approach taken—why the Bill was or was not published in draft for pre-legislative scrutiny, what the timetable for the Bill is and why—when a Bill is introduced?

2. Pre-election contacts between the Civil Service and the Opposition

We concluded that now the term of a Parliament has been fixed it would be sensible to formalise arrangements for pre-election contacts between the Civil Service and the Opposition, and also recommended that the Prime Minister reconsider his decision to only allow these contacts to start seven months ahead of the 2015 election. We also pointed out several areas where the current guidance on these contacts was now out of date and should be revised. The Government rejected all of these points, stating that “The direction of the civil service in this regard is a matter for the Prime Minister, not for Parliament.”

We consider it extremely disappointing that the Government has apparently not considered how pre-election contacts could be most effective in the new environment of fixed-term Parliaments. I would be grateful if you could indicate what consideration was given to reviewing the process for pre-election contacts in the light of the passage of the Fixed-term Parliaments Act 2011.

I would be grateful if you could reply by 5 February, so that we can publish your response in good time for Parliament to consider it before dissolution.

Yours sincerely

A handwritten signature in blue ink that reads "Graham Allen". The signature is written in a cursive, flowing style.

Graham Allen MP
Chair of the Committee