



HOUSE OF LORDS

European Union Committee

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Rt Hon David Davis MP
Secretary of State for Exiting the European Union
9 Downing Street
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6 September 2017

Dear David

Many thanks for your letter, which we received on 29 August.

We are disappointed by your response to our request for meetings after each round of negotiations. As you know, one of the most important developments in Parliament in the last 40 years has been the success of select committees in grappling with complex and sensitive issues, holding ministers and officials to account in a way that is not possible on the floor of the House.

The Brexit negotiations are, by your own account, among the most complex ever undertaken by the Government. While we are grateful for your earlier undertaking to appear before the Committee quarterly, it is not, in our view, acceptable that select committees, which have been appointed by their respective Houses to do a job of scrutiny, should be restricted to quarterly updates, when events elsewhere are moving so quickly.

We therefore again urge you, for the reasons set out in our 2016 reports on *Scrutinising Brexit: the role of Parliament* and *Brexit: parliamentary scrutiny*, to support the work of select committees in scrutinising the negotiations and in helping to achieve a successful outcome for the whole United Kingdom.

At the same time, we understand that your responsibilities, as the UK's chief negotiator, are immense, and that it would not be feasible for you personally to appear before committees of both Houses every three or four weeks. We are, however, disappointed that you have twice failed to respond to our proposal that on occasions when you are unavailable you should send either a ministerial colleague or a senior official to represent the department.

This proposal remains open, but in the meantime I wish formally to invite the House of Lords Brexit Minister, Baroness Anelay of St Johns, to appear before the Committee after intervening rounds of negotiation, thus supplementing your own quarterly appearances. This would give the Committee an opportunity not just to receive oral updates on the negotiations themselves, but to ask about related developments, such as the publication of position papers, bilateral discussions on trade and other issues with third countries, and aspects of the UK's continuing role within the EU institutions.

As for format, we would be content to offer as much flexibility as possible to facilitate these meetings: while the core work of scrutiny of course needs to be conducted in public, we would also consider requests from the department to discuss more sensitive issues in private session.

You may be aware that on Thursday 7 September Lady Anelay will be replying to a Question for Short Debate on the Government's plans for bringing regular reports on the negotiations before Parliament. I have put my name down to speak in that debate, and plan to use the opportunity to repeat this invitation, so that it appears in the Official Report. I am for this reason copying this letter to Lady Anelay, thereby giving her advance notice.

Finally, our clerks have contacted officials in DExEU to suggest a date of Tuesday 24 October for your next appearance before the Committee. I hope this date is suitable.

I look forward to Lady Anelay's reply to Thursday's short debate, and to your response to this letter. I am copying this letter to Lady Anelay, and to the Leader of the House of Lords.

Yours ever

A handwritten signature in cursive script that reads "Michael Jay".

Lord Jay of Ewelme

On behalf of Lord Boswell of Aynho