



HOUSE OF LORDS

European Union Committee

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Rt Hon Dominic Raab MP
Secretary of State for Exiting the European Union
9 Downing Street
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5 September 2018

Dear Dominic

Thank you for giving evidence to the House of Lords European Union Select Committee at its meeting on Wednesday 29 August. I am writing to invite you to provide supplementary written responses to a number of questions raised during the session.

First, you stated that the negotiations would now move into “continuous negotiation”. Can you explain what this means in practice, and how this differs from the process of negotiations up to now? Can you also update us on the nature and outcome of yours and other Government ministers’ discussions with Member State governments during the summer recess?

Regarding Northern Ireland and Ireland, can you explain if there will need to be checks at or near the land border under the Government’s White Paper proposals? You also told the Committee that “as a matter of law under Article 50, there are constraints on the period for which a backstop could last.” Can you explain what you meant? In addition, your predecessor committed to sharing with the Committee the results of the UK-EU joint mapping exercise on North-South cooperation. Can you confirm this commitment, and provide an update on when you will be able to share this?

With regard to the White Paper on *The future relationship between the United Kingdom and the European Union*, you stated that you have clarified with the Commission over the summer that none of the amendments to the Taxation (Cross-Border) Trade Bill passed by the House of Commons in July will undermine the vision or the model of the White Paper. Can you explain the substance of this reassurance? Can you also provide further detail on how the common rulebook proposed in the White Paper will operate, and in particular how future changes to the common rulebook will be made in practice?

The White Paper states that “being a third country creates some challenges for the full operation of the European Arrest Warrant as it stands” and that “the Withdrawal Agreement will address this issue as part of the implementation period.” Can you explain more fully the challenges you envisage, and what will happen if there is a time gap between UK withdrawal and any new arrangements coming into effect? What progress was made in the most recent round of negotiations in resolving these matters?

Can you explain what you meant when you said that in the event of a no deal, “there would be no wholesale turfing out” of EU citizens lawfully resident in the UK? Might this imply that some EU citizens will be required to leave the UK under such an eventuality, or would there be some diminution of their rights?

We were grateful to you for your commitment to continue to engage with the Committee on a regular basis. We met your predecessor roughly quarterly, although a precise schedule was never established, despite our best efforts. Given the increased speed and intensity of the Brexit negotiations we would be grateful now to agree a more predictable pattern of meetings. We therefore request that you appear before the Committee again as soon as possible after the 18 October European Council, and approximately every six weeks thereafter until UK withdrawal takes effect on 29 March 2019.

Regarding the Committee’s request that you be joined at these evidence sessions by the Prime Minister’s Europe Adviser, Oly Robbins, you stated that the correct arrangements are for ministers to attend and be accountable to parliamentary committees. However, we note that Mr Robbins appeared alongside you both before the House of Commons Exiting the European Union Committee in July, and before the Commons European Scrutiny Committee today. We also note that the Permanent Secretary of the Department for Exiting the EU, Philip Rycroft, appeared before the Commons Exiting the European Union Committee yesterday. Can you explain the apparent discrepancy between this week’s meetings of House of Commons committees and your statement to the Committee last week, and the continuing inconsistency between the treatment of the two Houses? If it is appropriate, we would be willing to pursue this matter in correspondence with the Prime Minister.

We would be grateful for a response to this letter by 2 October 2018.

Yours sincerely,

Tim Boswell

Lord Boswell of Aynho
Chairman of the European Union Committee