



Our Ref: AL/MP902
4 December 2018

Dear Kate,

I am writing to you on the issue of Humble Addresses and in the light of the contempt Motion that we are debating today.

As you know, the House recently passed a motion by Humble Address requesting that any legal advice, on the Withdrawal Agreement, including the legal advice from the Attorney General, be laid before Parliament. In response, the Attorney General placed himself at the disposal of the House yesterday to answer questions on the legal impact of the Withdrawal Agreement. Alongside this, a 48 page legal summary document was made available to the House. That this has now resulted in a contempt motion is of significant constitutional concern.

The Government is concerned that the recent use of motions by Humble Address undermine good government in the national interest. In particular, we are concerned that the use of this procedure to, for example, require the publication of cabinet papers and legal advice, will impact the ability of current and future governments to request and receive the best possible advice. These principles have previously been recognised by this House when it passed the Freedom of Information Act 2000, which enshrined the principles both as to the importance of disclosing information by government, and as to the fact that such information should be protected in some circumstances. It is presently unclear what the boundaries are with these types of motion, which could request information on matters of vital national security.

The Government would welcome the focussed expertise of the Committee of Privileges to consider the appropriate use and interpretation of the Humble Address procedure. By undertaking a detailed inquiry into this matter, the full implications of the use of this procedure can be looked at properly. Members of the Committee of Privileges are accustomed to the impartial consideration of complex and contested issues, so are well equipped for this role.

I know that there may be some concern that the Law Offices have a right to attend your Committee, and I can confirm that they would intend to recuse themselves during such an inquiry.

I am copying this letter to the Chair of the Public Administration and Constitutional Affairs Committee, Sir Bernard Jenkin MP, and the Chair of the Procedure Committee, Charles Walker MP

Andrea Leadsom

**RT HON ANDREA LEADSOM MP
LEADER OF THE HOUSE OF COMMONS**

Kate Green MP
Chair, Committee of Privileges