



Kevin Foster MP  
Minister for the Constitution  
Cabinet Office 70 Whitehall London SW1A 2AS

Damian Collins MP  
Chair  
Digital, Culture, Media and Sport Committee  
House of Commons  
London, SW1A 0AA

Our reference: MFC/00296

25 October 2019

Dear Damian,

I wrote to you on 12 September, on behalf of the Prime Minister, regarding your request for Dominic Cummings to appear before the DCMS Select Committee.

Unfortunately, it has since been brought to my attention the letter contained statements that were not in accordance with the Government's approach to the appearance of Civil Servants at Select Committees (the Osmotherly rules).

The Government believes the powers and privileges of the Houses of Parliament are necessary to enable Parliament to function freely and fully. It is vital to the work of Select Committees they are able to obtain full and accurate evidence from witnesses as part of their inquiries. My letter did not make the distinction clear between an individual appearing in their personal capacity and someone appearing as a Civil Servant, and appeared to assert a Civil Servant could not appear in a private capacity.

I would like to clarify the attendance of Dominic Cummings in a private capacity to give evidence about events before he became a Special Adviser would remain a matter for him to consider.

**Yours sincerely,**

**Kevin Foster MP**