



HOUSE OF LORDS

European Union Committee

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Rt Hon Dominic Raab MP
Secretary of State for Exiting the European Union
Department for Exiting the European Union
9 Downing Street
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23 October 2018

Dear Secretary of State

Scrutiny of Withdrawal Agreement and political statement on the future UK-EU relationship

Your appearance before the Committee

We wrote to you on 5 September 2018 to invite you to appear before the Committee as soon as possible after the October European Council, and have today received confirmation via your officials that you will not be able to attend or to give evidence to the Committee until after a deal with the EU has been finalised.

We find this unacceptable. Your response inhibits the Committee in fulfilling its obligations in scrutinising the progress of Brexit negotiations at this vital stage, and flies in the face of the commitment in your letter of 17 July, “to give evidence on a regular basis.”

We also recall the commitment made by your predecessor, Rt Hon David Davis MP, on 12 September 2016, that “We will certainly match and, hopefully, improve on what the European Parliament sees.” Yet whereas the European Parliament’s Brexit Coordinator, in a hearing with the AFCO Committee on 22 October, reported “almost daily” contacts with the EU’s Negotiator, Michel Barnier, the Government seems intent on keeping Select Committees in the dark until after the negotiations are concluded.

We therefore urge you to reconsider this response and to confirm a date for an appearance before the Committee before the end of November.

Committee scrutiny of the Withdrawal Agreement and political declaration

We note also that recent reports suggest that a Lords debate and the Commons’ ‘Meaningful Vote’ could follow within as few as ten days after any agreement is reached by the UK and EU negotiators. We understand that time is short. Nevertheless, it is imperative that both Houses—and the wider public—are able to have an informed debate. This means, among other things, that the Committees of both Houses with responsibility for scrutinising the Brexit negotiations must have an opportunity to report on the text of any agreement ahead of the ‘Meaningful Vote’—in the same way as the AFCO Committee of the European Parliament will have an opportunity to report ahead of any vote in that Parliament.

We therefore seek your assurance that the Government will allow time for effective Committee scrutiny of any agreement, ahead of the ‘Meaningful Vote’; and we ask you to set out your plans for engaging with Committees in order to facilitate this scrutiny.

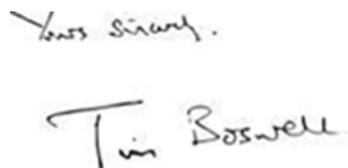
Access to documentation

If Committees are to scrutinise the agreement effectively, it will be critically important that they have early access to relevant documentation. The last consolidated (and colour-coded) text of the draft Withdrawal Agreement was published by the Commission in March, although some revised individual sections of text were published in June. In her statement before the House of Commons on 22 October, the Prime Minister said that 95% of the Withdrawal Agreement had now been agreed.

To help Committees scrutinise the agreement and accompanying political declaration effectively, we request that you now share the latest drafts with us, identifying text that has or has not been agreed. In line with our handling of other sensitive documents over the last 12 months, we undertake to respect the confidentiality of these documents, until such time as the final text is agreed and published.

We would be grateful for your response to this letter by 30 October 2018.

I have copied this letter to Rt Hon Hilary Benn MP, Chair of the House of Commons Exiting the EU Committee.



Yours sincerely,
Tim Boswell

Lord Boswell of Aynho
Chairman of the European Union Committee