



HOUSE OF LORDS

European Union Committee

House of Lords
London
SW1A 0PW

Tel: 020 7219 5864
Fax: 020 7219 6715
euclords@parliament.uk
www.parliament.uk/lords

Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
Cabinet Office
70 Whitehall
London
SW1A 2AS

18 March 2020

Dear Michael

Scrutiny of the future relationship negotiations and the UK-EU Joint Committee

On 17 March 2020 the House of Lords agreed revised terms of reference for the European Union Committee, consequential upon the UK's withdrawal from the EU. The Committee is now charged with scrutinising "matters relating to the UK's relationship with the European Union, including the implementation of the UK/EU Withdrawal Agreement, and the Government's conduct of negotiations on the United Kingdom's future relationship with the European Union."

I am therefore writing to set out our understanding of the principles that will underpin the Committee's scrutiny of the future relationship negotiations and the implementation of the UK/EU Withdrawal Agreement, including the work of the UK-EU Joint Committee and Specialised Committees. In that context, I note your commitment, in evidence to the House of Commons Committee on the Future Relationship with the EU, to report on the negotiations "as often as Parliament feels it would be appropriate", and "to either make statements and answer questions to this Committee, or respond to urgent questions if Parliament feels that that is appropriate."

Prior to UK withdrawal from the EU, the Committee heard evidence from successive Secretaries of State for Exiting the EU on an approximately quarterly basis. We would therefore request that you also appear before us at least once every three months, beginning on 24 March, and then again in the run-up to the June European Council.

We note that the Government's recent paper on the UK-US Free Trade Agreement contained a restatement of the previous Government's commitment to provide relevant committees of both Houses with "access to sensitive information that is not suitable for wider publication and ... private briefings from negotiating teams. This would ensure that the committee(s) was able to follow negotiations closely, provide views throughout the process and take a comprehensive and informed position on the final agreement."

This Committee has previously received private briefings from officials, and has respected their confidentiality. Are you therefore willing to facilitate private briefings from officials to supplement meetings with ministers as appropriate, including after negotiating rounds and meetings of the Joint Committee and Specialised Committees? We suggest that such briefings should take place on an approximately monthly basis. Are you also able to share sensitive information, such as draft legal texts, with the Committee where appropriate?

With regard to the Government's accountability to the House as a whole, we note that a Written Ministerial Statement was published after the first round of negotiations. We believe that Parliament would benefit from an opportunity to question ministers after each negotiating round. Are you able to commit to providing an oral statement in both Houses after each negotiating round? We would also see benefit in the provision of a Written Ministerial Statement after each meeting of the Joint Committee and Specialised Committees, and that in some circumstances an oral statement may also be required, depending on the significance of the discussions and decisions that have taken place. Do you agree?

We would be grateful for a response to this letter by 1 April 2020. We are in the meantime grateful to you for agreeing to give evidence, provisionally on 24 March, and look forward to discussing these issues with you then.

I have copied this letter to Baroness Evans of Bowes Park, Leader of the House of Lords, Sir William Cash MP, Chair of the House of Commons European Scrutiny Committee, and Rt Hon Hilary Benn MP, Chair of the House of Commons Committee on the Future Relationship with the European Union

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L Kinnoull', with a horizontal line underneath.

Lord Kinnoull
Chair of the European Union Committee