Liaison Committee
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From Sir Bernard Jenkin MP, Chair

Rt Hon Jacob Rees-Mogg MP
Leader of the House of Commons
House of Commons
London SW1A 0AA

10 November 2020

Dear Jacob,

Select Committee Reports: Embargoed copies

As you know, Select Committees may currently issue embargoed copies of reports to the press, government departments and witnesses under the provisions of Standing Order No. 134. The Standing Order limits the period during which such copies can be issued to no more than 72 hours before publication.

The Liaison Committee recommended in the last Parliament that the Standing Order be amended to give committees complete discretion and flexibility over the timing and distribution of their embargoed reports. The Government was not convinced by the previous Committee's arguments. This Liaison Committee reconsidered the recommendation earlier this year and hopes further explanation may lead you to reconsider the Government's position.

As you will know, Select Committees have increased significantly in profile and influence over the last ten years. Committees have also become more innovative in the way they launch reports and consult the public. The 72-hour limit can be a significant inconvenience to Committees who wish to hold an event to launch a report, who intend to launch their report to coincide with a piece of work by an external body or launch it in conjunction with a broadcast media package or feature piece. Such launches often require significant advance planning, well in advance of 72 hours. Whilst we do not expect longer embargo periods would be the norm, greater flexibility would assist committees planning these types of launches. Particularly technical or complex reports may also benefit from a longer embargo period, allowing more time for interested parties, including departments and public bodies, to consider their contents. Where the longer embargo period was taken up it would, of course, also extend to the copies provided to government departments, who would not therefore be disadvantaged by the change.

There is also an anomaly with the present Standing Order that it would be helpful to resolve. Not everyone who is cited in a committee report or who may be impacted by its recommendations will have chosen to submit evidence to the inquiry. Under the current Standing Order, embargoed copies can only be shared with those who submitted evidence, Government departments or the press. This can place committees in a difficult position when it comes to distributing a report prior to publication. It can lead to criticism where the press sees a report before a person or organisation mentioned in it. Allowing committees to

share embargoed reports with people or organisations outside the existing categories would remove this anomaly.

The Committee would be very grateful if you could consider introducing the amended Standing Order below, which would resolve these two issues. We hope that such a change will be routine and uncontroversial, bringing the House's rules into line with modern committee practice.

> **Proposed revised Standing Order No. 134**
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> All select committees shall have power to authorise the Clerk of the House to supply copies of their reports to officers of government departments, to such witnesses who have given evidence to committees or to their sub-committees as those committees consider appropriate, and to such other organisations, individuals and press representatives as the committee thinks fit, after those reports have been laid upon the Table but before the intended time of publication of such reports.

I am copying this letter to the Shadow Leader of the House and Tommy Sheppard MP.

Yours ever



Sir Bernard Jenkin MP,

Chair of the Committee