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The Rt Hon the Lord Goldsmith QC
Chair, International Agreements Sub-
Committee
House of Lords
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26 January 2021

Dear Lord Goldsmith,

Thank you for your letter of 2 November.

I do not agree with your view of the Ponsonby rule. As you know in 1924 the then Government stated that Parliament should:

“...also exercise supervision over agreements, commitments and understandings by which the nation may be bound in certain circumstances and which may involve international obligations of a serious character, although no signed and sealed document may exist.”

Within that framework, memoranda of understanding were not routinely submitted to parliamentary scrutiny, and this became the established practice of successive British Governments.

Lord Ahmad set out the present Government’s approach to the matter when he said, in the House of Lords debate on this issue in September, “in situations where MOUs raise questions of public importance, it may be appropriate for the Government to draw such matters to the attention of Parliament”. The Government has done that, as regards the Croughton Arrangements, through the Written Ministerial Statement laid on 22 July.

THE RT HON DOMINIC RAAB MP