



HOUSE OF LORDS

International Agreements Committee

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Lord Grimstone of Boscobel Kt
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Department for International Trade
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24 January 2022

Dear Gerry,

Thank you for attending a private meeting with the Committee on 20 January. As you will have gathered, the Committee was deeply disappointed by the Government's response to our *Working Practices: one year on* report. During the briefing, you made several helpful comments about the response and, specifically, in relation to scrutiny commitments you made at the despatch box during the debate on the Trade Bill. You undertook to reflect on the points made in the Government response, take this up with the FCDO and revert to the Committee.

We would like to highlight several issues which we hope you will consider as part of this.

First, the Government response seems to suggest that the Committee was seeking to turn what we have dubbed 'the Grimstone Rule' into a legally binding commitment. This is a misapprehension. We have simply proposed that the Grimstone Rule should be treated as a formal commitment by the Government, which amounts to a new custom, or convention. We anticipated that it would be observed in the same way as the Ponsonby Rule.

This was a commitment made from the despatch box, and we were alarmed that the Government appears to be seeking to row back from it. This is particularly important as the commitment was given at a time when the House of Lords was seeking to press amendments to the Trade Bill. If the House comes to believe that it cannot rely on Government commitments made at the despatch box, then this will become a matter of great concern.

Second, we note that the Government response gave no clear commitment to the other undertakings made by DIT and which the then-Secretary of State for International Trade, Rt Hon Liz Truss MP, restated in her letter of 16 March 2021 to the Commons' International Trade Committee.

We had asked for all these commitments to be gathered into a concordat between Parliament and the Government, to provide a clear and predictable framework to ensure that future free

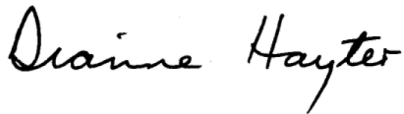
trade agreements received consistent and thorough scrutiny. We felt that this was a pragmatic recommendation which ensured that the various commitments made in letters, consultation papers, and on the floor of the House, could be consolidated in one place.

The fact that the Government has sought to present some of these commitments as mere ambitions reinforces our view that the time is now right to crystallise the various compromises that have been agreed with Ministers into a single document. Without such an agreement, any future administration could easily refuse to provide Parliament with the information that is necessary for this Committee to go about its work.

We would ask that you get back to us by Wednesday, 2 February with an updated position, which we hope will take account of the issues we raise in this letter and the discussion that we had at our private meeting.

We have a number of additional concerns about the response, which we will be raising with the FCDO.

Yours sincerely,

A handwritten signature in black ink, reading "Draine Hayter". The signature is written in a cursive, flowing style.

Baroness Hayter

Chair, House of Lords International Agreements Committee