



HOUSE OF COMMONS

LONDON SW1A 0AA

Rt Hon John Bercow MP
Speaker of the House of Commons
House of Commons
London
SW1A 0AA

3 December 2018

Dear Mr Speaker,

Contempt of Parliament

We are writing to request that you consider giving precedence to a motion being placed before the House of Commons that the Government has held Parliament in contempt.

On 13 November 2018 the House debated the following motion:

“That an humble Address be presented to Her Majesty, that she will be graciously pleased to give directions that the following papers be laid before Parliament: any legal advice in full, including that provided by the Attorney General, on the proposed withdrawal agreement on the terms of the UK’s departure from the European Union including the Northern Ireland backstop and framework for a future relationship between the UK and the European Union.”

During the debate on that motion Labour’s frontbench made it clear that:

“the motion requires the publication of the final and full advice provided by the Attorney General to the Cabinet concerning the terms of any withdrawal agreement. This must be made available to all MPs. It is to be published after any withdrawal agreement is reached with the EU, but in good time to allow proper consideration before MPs are asked to vote on the deal.”¹

The motion passed unanimously and was not opposed by the Government. After the motion was passed you ruled that:

“the motion is effective — I have been advised thus. It is not just an expression of the opinion of the House; it is an expression of the will of the House that certain documents should be provided to it.”²

The Government did not oppose this motion. We therefore expected the Government to comply to it by:

- Publishing the final and full advice provided by the Attorney General to Cabinet concerning the terms of any withdrawal agreement.

¹ [HC Deb, 13 November 2018, c235](#)

² [HC Deb, 13 November 2018, c236](#)



- Making sure the information is available to all MPs.
- Ensuring the information is published after any withdrawal agreement is reached with the EU but in good time to allow proper consideration before MPs are asked to vote on a deal.

These demands were reiterated in a letter from Keir Starmer to David Lidington on 27 November.³

Neither a “reasoned position statement” nor a document “setting out the Government’s legal position” constitute the final and full advice provided by the Attorney General to the Cabinet. It does not comply with a motion of the House that you have ruled to be effective. It was the concession offered by the Government during the debate, but it was rejected – and ministers made no attempt to amend or oppose the motion for debate.

It is apparent to us – and we believe the overwhelming majority of the House – that the information released today does not constitute the final and full advice provided by the Attorney General to the Cabinet. It does not comply with a motion of the House that you have ruled to be effective.

We would now ask that you consider giving the House of Commons the opportunity to debate and consider this matter of contempt at the earliest opportunity.

Yours sincerely,

Keir Starmer MP
Shadow Secretary of State for Exiting the European Union

Stephen Gethins MP
SNP Foreign Affairs and Europe spokesperson

Tom Brake MP
Liberal Democrat Spokesperson on Exiting the European Union

Nigel Dodds MP
Deputy Leader of the Democratic Unionist Party

Hywel Williams MP
Shadow Plaid Cymru Spokesperson on Brexit

Caroline Lucas MP
Leader of the Green Party in Parliament

³ BuzzFeed.News, [Labour Has Warned The Government It Must Publish Its Brexit Legal Advice In Full](#), 27 November 2018