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6 November 2017

By courier and email

The Rt. Hon. David Davis MP
Secretary of State for Exiting the European Union
Department for Exiting the European Union
9 Downing Street
London, SW1A 2AG
correspondence@dexeu.gov.uk;
foi@dexeu.gov.uk

The Rt. Hon Philip Hammond MP
Chancellor of the Exchequer
HM Treasury
1 Horse Guards Road
London SW1A 2HQ
CEU.Enquiries@hmtreasury.gsi.gov.uk;
FOIRequests@HMTreasury.gsi.gov.uk

Dear Secretary of State and Chancellor,

Request for disclosure in exercise of common law powers

Thank you for your letters of 30 October 2017 and 31 October 2017 in response to our letter of 12 October 2017.

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We consider the decisions communicated in your letters to be misconceived, and reserve our rights in respect of them.

We note that, on 1 November 2017, following receipt of your letters, a motion calling for the release of the sectoral studies requested by us was passed unanimously in the House of Commons.

In the light of that, and prior to taking any further legal steps in response to the decision communicated by you, we write to seek urgent clarification on the following matters:

- a. Which of the sectoral studies does the government now intend to disclose in response to the House of Commons vote?
- b. In addition to the sectoral studies, does the government intend to disclose the report – also requested by us in our letter of 12 October 2017 – which was prepared by HM Treasury comparing the predicted economic detriment of Brexit with the predicted economic benefits of alternative free trade agreements?
- c. Will the government’s disclosure be confined to the Brexit Select Committee, or does it now intend to disclose the sectoral studies and the report of HM Treasury more widely (for example, by publishing them)?
- d. Does the government intend to redact any part of the sectoral studies or of the report of HM Treasury prior to disclosing them? If so, what categories of information does the government propose to redact and for what reason does it propose to redact them?

We reiterate the points we made in our 12 October letter about the need for a fully informed public and parliamentary debate about the terms of Brexit, and the importance of these documents to that debate. In the light of that, we would be grateful for your response to the above questions by no later than the close of business on Monday 13 November 2017.

In the absence of a clear commitment by you to disclose the sectoral studies and the report of HM Treasury to the public, we intend to pursue judicial review proceedings in order to obtain their disclosure.

Yours sincerely

Three Crowns LLP

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