

The EU (Withdrawal) Bill and the Rule of Law

Expert Working Group

TERMS OF REFERENCE

The Bingham Centre, in partnership with the UCL Constitution Unit, launched on 9 October 2017 an Expert Working Group on the EU (Withdrawal) Bill and the Rule of Law ('the Group').

1. Purpose

The purpose of the Group is to consider the implications of the EU (Withdrawal) Bill for the Rule of Law and to generate informed discussion about the most significant Rule of Law issues raised by the Bill in order to inform debates about it, and how it could be improved, in Parliament and among the wider public. To identify Rule of Law issues raised by the Bill, the Group uses the account of the Rule of Law set out in Lord Bingham's 2010 book, *The Rule of Law*, and the Venice Commission's *Rule of Law Checklist* which is largely based upon it.

The Group will communicate the most important parts of its discussions to Members of Parliament and Peers to assist in their consideration of amendments that have been, or which may be, tabled. In particular, it will aim to inform MPs and Peers as to whether the Rule of Law issues identified by the Group have been given adequate attention in the Bill and tabled amendments, and suggest ways in which MPs and Peers can address such gaps.

The Group will also attempt to enhance public understanding of the Rule of Law issues raised by the EU (Withdrawal) Bill, by publishing materials generated for the purposes of the Group's discussions on the Bingham Centre website. Notes of discussions will not attribute comments to named members of the Group.

2. Membership and Chair

The Group is Chaired by The Rt Hon Dominic Grieve QC MP. It consists of 27 members, representing the interests of a wide variety of stakeholders. Additional members will be considered on a case-by-case basis and will be agreed by the Chair of the Group.

3. Meetings

The Group will organise its meetings to coincide with the Bill's progression through Parliament so that the Group is able to communicate the substance of its discussions to MPs and Peers in time to influence both the Government's thinking about the Bill and debate on the Bill in both Houses.