Supplementary written evidence from Lord Trefgarne – RIS0064

I was pleased to have the opportunity to give evidence to your review of committees.

It may be helpful if set out a little more detail about the work of the Secondary Legislation Scrutiny Committee.

The Committee has deep experience, and well-established procedures, for scrutinising statutory instruments (Sis) in order to advise the House. We highlight aspects of Sis which we consider need closer attention, and we are pleased that our reports are often used by members in debates on Sis. Since the start of the 2015 Parliament, we have scrutinised around 700 Sis a year, publishing the results of our scrutiny in some 30 reports during each Session.

But we also seek to keep Government Departments "up to the mark" in their preparation and presentation of Sis.

We have monitored the implementation of changes made in 2012 to the Government's approach to consultation, published several reports on that approach, taken evidence from Cabinet Office Ministers, and secured changes which we think redress the balance between Government and external interests. Our website contains a summary of our involvement in this issue.

In the past two years, we have twice taken evidence from leading Permanent Secretaries about the quality of information provided in support of secondary legislation, and this has prompted a wide-ranging programme across Whitehall to improve such information.

Our advisers frequently give talks and training to Whitehall officials about what we as a Committee require. They have also given seminars to members and staff of the House.

We are open to representations about Sis from external groups; we receive these increasingly often; and we get responses to them from Government Departments in order to give the House a rounded account of views.

We consider that this experience provides us with a strong basis for the scrutiny of secondary legislation to come, not least as a result of the UK’s exit from the EU.

Rt Hon. Lord Trefgarne PC
Chairman of the Secondary Legislation Scrutiny Committee