Written evidence submitted by
Mr Elwyn Jones (GRB 26)

Issues related to the delegated powers of the ‘Great Repeal Bill’.

Bi-temporal Data (Advice - procedures)
Whatever other procedures and practices are in place for the enactment of primary legislation or the scrutiny of delegated legislation, you will be shooting at a moving target. You cannot stop the EU from changing legislation as you are busy debating it. This requires a whole new mind-set. - The simple administrative precaution is that every report or referral must have an ‘as-of-date’ (not just a Publication Date) for the whole report if the report represents a snap-shot; or for each item if a snap-shot cannot be achieved. Strict adherence to this rule will allow any muddles to be untangled. This requirement is fundamental and should be written into the “European Statistics Code of Practice” and all dependent documents such as the “UK Statistics Authority, Code of Practice for Official Statistics”

Adaptations for Technical Progress (Experience – no justification)
EU Agencies and Institutions too have delegated powers called ATP’s; which means that they can change the legislation without informing Brussels. ATP’s are allowed for a good reason; they allow for Scientific Advancement. (I see no similar good reason why the UK Government needs delegated powers). However, the EU delegated powers are erroneously based on the presumption that all scientific progress is incremental. But, we know that it is not. Some progress is fundamental, and leads to a “re-writing of the rule-book”. For this reason alone, it is necessary to capture ATP’s when they happen, and feed them towards the UK such that they can be scrutinized as appropriate.

Delegated Powers (Witness – NO to any delegated powers)
One of the main planks of the Leave campaign was to “take back control”; but take back to where? - A similarly inclined party in the recent Dutch election campaigned to “take back control to <local authority>”. The people of Sevenoaks have a silent but deep-seated resentment against an unnamed bureaucrat in Whitehall who over-ruled the local council by forcing through planning permission for BT which fundamentally sealed the change in identity of our town from a Market Town to a Dormitory Town. Similar resentment is seething below the surface on top-down matters such as housing, education, hospitals and green-belt development. Granting any powers away from our elected representatives is an anathema that could inflame our fragile contentment. They start by
saying they only want typographical power, but who knows where it will end? (We know what a
comma or even an apostrophe can do.)

**Tiers of Governance (Knowledge – need for additional capacity)**
The problem of over-load and delegation goes back to Jethro’s advice to Moses (Exodus 18:19-23);
and will remain so till the powers of Big Data, Social Media and Direct Government can be properly
harnessed. - Since its inception, the House of Commons has been the lowest Tier of Governance in
Westminster; but with the demise in the power of the Lords; and repatriation of power from
Brussels; the House of Commons has become the highest Tier of Governance, without any effective
checks and balances. [This is how Apartheid was introduced into South Africa, and how countless
other dictators have gained power: First win the popular vote; then pack the upper house with
political appointees; then become a pariah nation – South Africa was only brought back into the
world community after a change of government that involved intense debate about the re-
introduction of checks and balances] - Of course the House of Commons will be over-loaded, and
that situation will continue. A vacuum is being created for a knowledgeable and representative
chamber in Westminster, but who’s going to fill it? For instance, who will represent the interests of
our hard-pressed Fishermen? And, some matters such as Nuclear Safety, Food Security, Environment
and Climate Change are too important to risk being compromised by the daily hustle and bustle and
fight over finances. – I hope that Whitehall is not going to try and fill the power vacuum.

**Public Fears (Witness – continued additional capacity)**
Thoughtful members of the public are concerned that there could be a “bonfire of EU legislation”;
and with it will go our Consumer Protection, Product Safety, Employment Law, scrutiny of Foreign
Policies and so on. New issues will continue to arise and be processed by the EU; but, will this follow
through to the UK? – The thought of the public having to campaign on every new issue in order to
persuade our elected representatives to put it on the agenda and take action, is quite daunting. – A
method is needed that will track new issues and bring them into the public domain so they can be
timeously argued. (i.e. more effective than the Norwegian model)

**Devolution (Comment)**
Analysis of the poll results show that those who consider themselves British do not want to
leave, the Irish don’t want to leave, the Scottish don’t want to leave – and in the Welsh
heartlands (e.g. Cardiff & Gwyneth), they don’t want to leave. It’s the people who identify
themselves as “English” who want to leave; but by an overwhelming majority. - Are we going
to let the English push us around again? – Can a devolved solution not be found, whereby
the UK remains, but only England leaves (much along the lines of the Icelandic model)?

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