



Department
of Health &
Social Care

*From Baroness Merron
Parliamentary Under-Secretary of State for
Women's Health and Mental Health*

*39 Victoria Street
London
SW1H 0EU*

21 November 2025

Dear Thérèse,

During the first day of the Committee Stage for the Terminally Ill Adults (End of Life) Bill, on 14 November 2025, I undertook to write to address a couple of points that were made during the debate. As you will be aware, the Government is neutral on this Private Member's Bill.

I would like to take this opportunity to address your points in more detail following the debate. I will address each of your points in turn.

You asked whether the UK Government has requested a Legislative Consent Motion from the Welsh Government. As the Government remains neutral on this Bill, it is for the Sponsoring Members to seek to obtain a Legislative Consent Motion from the Welsh Government. The UK Government has worked with both the Sponsors of the Bill and officials from the Welsh Government to advise on workability matters in relation to the devolution settlement. These discussions consider technical matters such as whether the relevant clauses would be technically operable for the Welsh Government. Any matters in relation to the underlying policy are for the Sponsoring Members. The Sponsors are thus responsible for obtaining a Legislative Consent Motion and the process to be followed through will be (in the usual way) the responsibility of the Welsh Government.

You also asked which clauses the UK Government considers a Legislative Consent Motion from the Senedd may apply. As indicated by Lord Falconer in the House, the clauses currently considered within scope of a Legislative Consent Motion with Wales include Clause 40, providing Welsh Ministers power to issue guidance; Clause 42, providing Welsh Ministers power to regulate how an assisted dying service would be introduced in the Welsh health service; Clause 51, providing the Welsh Government with the power to make regulations about the Welsh language; Clause 54, a general power to make regulations; and Clause 58, which gives the Welsh Ministers power to introduce certain provisions. I can confirm the Government considers the clauses listed above as those for which the Legislative Consent Motion process applies. The relevant test set out in Senedd Standing Order 29 assesses whether clauses under the Bill have regard to matters that are devolved. My officials will continue to work with colleagues in the Welsh Government and with the Sponsoring Members to identify any other clauses which require legislative consent including where there are changes to the Bill as it progresses through Parliament.

I hope that my response proves useful. I have copied this letter to all Peers who spoke during the debate and will deposit this letter in the library of the House.

All good wishes,

Gillian

BARONESS MERRON