



Liaison Committee

Rt Hon Penny Mordaunt MP
Leader of the House of Commons

By email

26 March 2024

Dear Penny,

Scrutiny of Regulatory Policy

I am writing in reply to your letter seeking the views of the Liaison Committee on the creation of a new House of Commons Select Committee to scrutinise the work and reports of the Regulatory Policy Committee (RPC), which we received on Monday 11 March.

Your letter was shared that day with all members of the Liaison Committee, and we had a discussion the merits, or otherwise, of the proposal at our meeting on Tuesday 12 March. There were 19 members at that meeting (13 Conservative; 4 Labour; 1 SNP; 1 Independent), and the views of those present were not supportive of the proposal.

The following issues were raised during the discussion:

- The RPC is itself a scrutiny body, so it was thought that not much could be gained from scrutinising its work. In terms of its non-opinion work, there appears to be a very limited amount of documentation, such as policy papers, on which to conduct scrutiny.
- In relation to its reports – by which we have taken this to mean its opinions on Impact Assessments – it was thought that where there were issues worthy of further scrutiny, these could be taken on by the existing departmental select committee. I have since reflected on this point, and given that the RPC give red or green ratings to its opinions, one change that could be made now would be for those red-rated opinions to be sent to the departmental select committee to decide whether to conduct further scrutiny.
- With regard to taking on the responsibility for the scrutiny of Legislative Reform Orders (LROs), the Chair of the Business and Trade Committee informed members that there have been two LROs laid this Parliament. It is that Committee's view that the workload is not onerous, and that there are benefits to that Committee retaining responsibility for this scrutiny.
- We heard from a Chair who had previously been a member of the Regulatory Reform Committee. His recollection was that that Committee struggled to achieve and maintain a quorum, which reflected the enthusiasm amongst members for the work it was undertaking. I wonder whether the lesson from that experience is that a generic committee of the type proposed is not the answer?



Liaison Committee

- The discussion included members noting that they had previously suggested establishing additional committees, but that the suggestions had not garnered support with resourcing concerns being cited. This led members to reflect that, given additional resources to committees are subject an increase in the House of Commons: Administration Estimate, and that any committee established at short notice would have a staff team formed by re-assigning staff currently supporting other Select Committees, there were likely other gaps in scrutiny that could be more effectively plugged by establishing a new committee than the RPC proposal.
- The Chair of the Treasury Committee noted that in June 2022 it established a sub-committee to scrutinise regulatory proposals in financial services, given the new powers taken on by financial services regulators after Brexit. She also noted that the House of Lords, in January 2024, established the new Financial Services Regulation Committee.
- It was also noted that the effects of regulation were also regularly scrutinised in the regular inquiry work of committees.

We also requested views in writing by 20 March. We have received two responses from members (both Conservatives) who were not present at the Committee meeting. One said they strongly supported the proposal; the other said they would be supportive as there has not been sufficient focus on the increase of regulations, and that a new select committee would give more teeth to RPC work.

I hope that this view is helpful in presenting some alternative options for better connecting the work of the RPC with select committees. I would be happy to discuss further with you any other areas where it is considered there might currently be insufficient scrutiny.

Yours ever


Sir Bernard Jenkin MP
Chair of the Committee