



House of Lords
House of Commons

Joint Committee on Statutory Instruments

Scrutinising Statutory Instruments: Departmental Returns, Session 2024-26, April 2026: Government Response

First Special Report of Session 2026-27

HC 501 / HL Paper 30

Joint Committee on Statutory Instruments

The Joint Committee on Statutory Instruments (JCSI) is appointed to consider statutory instruments made in exercise of powers granted by Act of Parliament. Instruments not laid before Parliament are included within the Committee's remit; but local instruments and instruments made by devolved administrations are not considered by JCSI unless they are required to be laid before Parliament.

The role of the JCSI, whose membership is drawn from both Houses of Parliament, is to assess the technical qualities of each instrument that falls within its remit and to decide whether to draw the special attention of each House to any instrument on one or more of the following grounds:

- i. that it imposes, or sets the amount of, a charge on public revenue or that it requires payment for a licence, consent or service to be made to the Exchequer, a government department or a public or local authority, or sets the amount of the payment;
- ii. that its parent legislation says that it cannot be challenged in the courts;
- iii. that it appears to have retrospective effect without the express authority of the parent legislation;
- iv. that there appears to have been unjustifiable delay in publishing it or laying it before Parliament;
- v. that there appears to have been unjustifiable delay in sending a notification under the proviso to section 4(1) of the Statutory Instruments Act 1946, where the instrument has come into force before it has been laid;
- vi. that there appears to be doubt about whether there is power to make it or that it appears to make an unusual or unexpected use of the power to make;
- vii. that its form or meaning needs to be explained;
- viii. that its drafting appears to be defective;
- ix. any other ground which does not go to its merits or the policy behind it.

The Committee usually meets weekly when Parliament is sitting.

Current membership

House of Lords

[Lord Brady of Altrincham](#) (Conservative; Life peer)

[Lord Carter of Haslemere](#) (Crossbench; Life peer)

[Baroness Kennedy of Cradley](#) (Labour; Life peer)

[Baroness Miller of Chilthorne Domer](#) (Liberal Democrat; Life peer)

[Lord Stewart of Dirleton](#) (Conservative; Life peer)

House of Commons

[Sir Bernard Jenkin](#) (Conservative; Harwich and North Essex) (Chair)

[Lewis Atkinson](#) (Labour; Sunderland Central)

[Charlotte Cane](#) (Liberal Democrat; Ely and East Cambridgeshire)

[Helena Dollimore](#) (Labour; Hastings and Rye)

[Andrew Pakes](#) (Labour; Peterborough)

[David Pinto-Duschinsky](#) (Labour; Hendon)

[Gareth Snell](#) (Labour; Stoke-on-Trent Central)

Powers

The full constitution and powers of the Committee are set out in House of Commons Standing Order No. 151 and House of Lords Standing Order No.74, relating to Public Business.

Publication

This Report was Ordered by the House of Commons and by the House of Lords, on 1 July 2026, to be printed.

It was published on 3 July 2026. All publications of the Committee are on the Internet at www.parliament.uk/jcsi.

© Parliamentary Copyright House of Commons 2026.

This publication may be reproduced under the terms of the Open Parliament Licence, which is published at www.parliament.uk/copyright.

Contacts

All correspondence should be addressed to the Clerk of the Joint Committee on Statutory Instruments, House of Commons, London SW1A 0AA. The Committee's email address is jcsi@parliament.uk.

First Special Report

The Joint Committee on Statutory Instrument published its Third Special Report of Session 2024–26, [Scrutinising Statutory Instruments: Departmental Returns, Session 2024–26](#), (HC 1851) on 28 April 2026. On 11 June, the Leader of the House of Commons and the Leader of the House of Lords provided a Response to that Report. The Government Response is appended below.

Appendix: Government Response

Thank you for your Committee’s Third Special Report.

Scrutinising Statutory Instruments: Departmental Returns, Session 2024–26.

Your Clerks and Counsel have continued to work closely with departments to aid the delivery of secondary legislation and we are grateful for their continued support.

Reflecting on the first session of this Parliament, we have taken pride in the work departments have undertaken to improve their delivery of secondary legislation and take note of the areas that require further review to reduce repeated errors. We echo your understanding drafting legislation is a demanding exercise and agree that both Parliament and the public should expect the highest standards in legislation.

We note that in your report, the most common grounds for your Committee to report have been defective drafting and failure to follow proper legislative practice. We will continue to work with departments to support improving standards.

In our response to your First Special Report of this session, we said that departments would be asked to “review their internal processes for quality assurance checks, paying particular attention to the legislation that had been reported on by your Committee, or circumstances where the department has been reported on the same issue for a number of times”. You have asked for the Government to respond to your Third Report with the findings. From these reviews, it is clear that departments are taking further steps to improve capability in secondary legislation, whether this has been through revision of their own internal processes, updates to training or increased senior involvement.

We will continue to work closely with your Committee to promote best practice.

The Rt Hon Sir Alan Campbell MP
Leader of the House of Commons

The Rt Hon Baroness Smith of Basildon
Leader of the House of Lords