

European Scrutiny Committee

House of Commons London SW1A 0AA

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From: Sir William Cash MP

27 January 2022

Rt Hon. Boris Johnson MP
Prime Minister
10 Downing Street
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Dear Prime Minister

I write regarding the Government's reviews of retained EU law (REUL). These reviews—into the status and substance of REUL—were announced by Lord Frost on 16 September 2021. This work was welcomed by my Committee and, as I am sure you agree, is an important first step in ensuring that our statute book is fit for purpose. It is right and appropriate that EU law we were required to give effect to—during our membership—is now reviewed and its place in our legal system carefully considered.

I seek clarity on who will lead this work and when it will begin. I believe that the Attorney General should play a key part in the Government's reviews. The Ministerial Code is clear on the role of the Law Officers: as having final say on the principles, framework and methods of interpretation of constitutional law.¹ The Attorney sits at the apex of this system and their direction and prescription is vital when considering issues of constitutional significance. The future of REUL is such an issue and the Government's reviews demand oversight by the Attorney General and her team.

On timings, I note that five months have passed since the Government's reviews were announced. I would be grateful for an update on progress made towards their establishment.

CHAIR

¹ See section 2.10 of the Ministerial Code.