



HOUSE OF LORDS

Liaison Committee

1st Report of Session 2022–23

**Review of House of
Lords investigative
and scrutiny
committee activity
in 2021–22**

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Liaison Committee

The Liaison Committee is appointed by the House of Lords to advise the House on the resources required for select committee work and to allocate resources between select committees; to review the select committee work of the House; to consider requests for Special Inquiry Committees and report to the House with recommendations; to ensure effective co-ordination between the two Houses; and to consider the availability of members to serve on committees.

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The Members of the Liaison Committee are:

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Review of House of Lords investigative and scrutiny committee activity in 2021–22

CHAPTER 1: INTRODUCTION

Introduction

1. 2021–2022 was another exceptionally busy year for House of Lords committees, as the activity indicators in Appendix 1 demonstrate. The number of committee meetings remained much higher than was the case in the years before the COVID-19 pandemic, as did the number of witnesses giving oral evidence to committees. This increase in activity illustrates how committees have continued to adapt and develop during the past two years, regardless of their operating model.
2. 2021–2022 was also the year when the second and final phase of the new committee structure recommended by the Liaison Committee’s review of committees was implemented in full. Our July 2019 report on the 18-month review proposed the start of a significant change in the positioning of House of Lords committees to begin to put in place a thematic approach designed to ensure more effective scrutiny of all the major areas of public policy.¹ On 15 December 2020 we published our final recommendations in relation to committee restructuring. These tied in with our earlier decision that the existing EU Committee and the remaining EU Sub-Committees should continue until 31 March 2021 in order to facilitate a managed process of change.² The new additional sessional Committees which were appointed by the House in April 2021 have broad, cross-cutting remits, intended to enable them to adjust flexibly and swiftly to challenges.³
3. The former EU Sub-Committees with relatively small and EU focussed policy remits have been succeeded by the following thematic Committees:
 - Built Environment
 - Environment and Climate Change
 - Industry and Regulators
 - Justice and Home Affairs
4. In addition, the International Agreements Committee succeeded a Sub-Committee scrutinising that area.
5. Gone is the EU Committee and its umbrella structure of Sub-Committees. In its place is a single European Affairs Committee with a dedicated sub-committee for the Ireland/Northern Ireland Protocol. That Sub-Committee

1 Liaison Committee, *Review of House of Lords Investigative and Scrutiny Committees: towards a new thematic committee structure* (6th Report, Session 2017–19, HL Paper 398)

2 Liaison Committee, *Review of investigative and scrutiny committees: strengthening the thematic structure through the appointment of new committees* (5th Report, Session 2019–21, HL Paper 193)

3 HL Deb, 14 April 2021, [cols 1289–1293](#)

places a high priority on good cooperation with Oireachtas and Northern Ireland Assembly counterparts, as well as with the House of Commons. House of Lords Committees have also been prioritising engagement with counterparts in devolved legislatures more broadly—the Constitution Committee has been visiting and reaching out for views as part of recent work on the future of the Union; the Lords hosted the first meeting of the Interparliamentary Forum in late February 2022 which agreed a working model for that body following its transition from a Brexit forum⁴; and there was dialogue with the devolved legislatures and the House of Commons prior to the first meeting of the new EU-UK Parliamentary Partnership Assembly in May 2022.

6. The new committee structure was implemented in advance of supporting resources being evaluated. An external review of Committee Office staffing was carried out in autumn 2021. It recommended a 10% increase in staffing (seven posts, with further resource for committee communications) with the additional staff to be pooled centrally.

Additional scrutiny areas

7. In December 2021 the House agreed to a report from this Committee⁵ which designated the International Relations and Defence Committee as the committee responsible, under Section 3 of the Trade Act 2021, for conducting any inquiry to consider whether “there exist credible reports of a genocide” in the territory of a prospective counter-party to a Free Trade Agreement with the UK. In January 2022 the Chair of the Committee wrote to the Chair of the International Agreements Committee setting out a Memorandum of Understanding as to how the two Committees will work together on this issue.⁶ In February 2022 the Committee was given the power to appoint a sub-committee to carry out such an inquiry.

Virtual committee meetings

8. As we noted in our highlights report for 2020–2021, before the COVID-19 pandemic struck in March 2020 there had never been a virtual committee meeting in either House of Parliament. Committees started to meet virtually in April 2020 and by the end of the 2020/21 financial year over 1000 witnesses had given evidence to virtual committee meetings.
9. On 15 June 2021 the House of Lords Commission decided that committees themselves should be allowed to consider their preferred way of working from 6 September.⁷ Since then, individual committees have been able to choose whether to meet in physical, virtual or hybrid form. In practice, most now choose to offer a hybrid option for members or witnesses who request this, often at short notice. This facility has required a considerable degree

4 UK Parliament, ‘Joint Statement of the Interparliamentary Forum’: <https://www.parliament.uk/business/news/2022/february-2022/joint-statement-of-the-interparliamentary-forum/>

5 Liaison Committee, *Designation of responsible committee of the House of Lords for the purposes of section 3 of the Trade Act 2021* (3rd Report, Session 2021–22, HL Paper 78) and HL Deb, 1 December 2021, [cols 1374–1376](https://www.parliament.uk/handwritten-debates/2021-22/1-december-2021/cols-1374-1376)

6 See Appendix 3 and exchange of letters between Baroness Anelay of St Johns, Chair of the International Relations and Defence Committee and Baroness Hayter of Kentish Town, Chair of the International Agreements Committee containing a Memorandum of Understanding pertaining to Section 3 of the Trade Act (21 January 2022): <https://committees.parliament.uk/publications/8607/documents/86939/default/>

7 House of Lords Commission, *Minutes* (15 June 2021): <https://committees.parliament.uk/publications/6694/documents/71809/default/>

of flexibility amongst committee staff, at a time when proceedings in the Chamber and Grand Committee were returning for the most part to a pre-pandemic working model. The way in which staff have responded to this has been an excellent example of demonstrating the Administration’s value of professionalism, and has also furthered inclusivity in accommodating the needs of members and witnesses.

10. Between the start of the pandemic in March 2020 and April 2022 there were 1,490 committee meetings for which information is held. Of these, 97% have taken advantage of the new capability by being virtual or hybrid. Of the 2,521 witnesses, over 2,000 appeared remotely. Between January and April 2022 92% of meetings continued to use hybrid or remote capability in some form.
11. The perceived advantages of being able to offer a hybrid meeting option mean that there are no plans to discontinue this.

Committee room accommodation

12. The availability of committee rooms in the House of Lords has not kept pace with the sustained increase in committee activity, both in terms of the number of committees and the number of committee meetings. To assist with the pressure on accommodation, this Committee asked the special inquiry Committees which were appointed in January 2022 to meet on Mondays and Thursdays. We also encouraged committees to consider holding private meetings (which by their nature do not need broadcasting facilities) to meet in Millbank House, across the road from the Palace. We are grateful to those committees who have done so.

Aligning the rotation rule with the appointment of special inquiry committees

13. In order to secure a regular turnover of membership, a “rotation rule” operates in the case of most House of Lords committees. From its inception until 2021, this rule was linked to parliamentary sessions, and following the previous revision of the rule members were typically appointed onto committees, or sub-committees, for three successive sessions. They could not be reappointed to the same committee in the following two sessions. The application of this rule is intended to allow more members keen to take part in select committee work to do so.
14. Following a recommendation in the report by the Procedure and Privileges Committee published on 13 October 2020,⁸ select committee member rotations now take place at the beginning of January each year. In November 2021 we published our recommendations concerning new special inquiry committees ahead of their appointment in January 2022.⁹ This change has brought the annual cycle of new committee activity into line with member rotations.

8 Procedure and Privileges Committee, *Leave of absence; Committee rotations; Changes to procedure relating to legislation; Deletion of Standing Order 76; Wording in the Companion relation to “the closure”; Wording in the Companion relating to “that the noble Lord be no longer heard”; Changes to Standing Order 64; Legislative consent* (4th Report, Session 2019–21, HL Paper 140)

9 Liaison Committee, *Review of House of Lords investigative and scrutiny committee activity in 2020–21* (1st Report, Session 2021–22, HL Paper 17)

Committee Chairs' Forum

15. The Committee Chairs' Forum continues to be a valuable means of communicating key information regarding both committees and the Committee Office, addressing issues, and sharing best practice. The Forum was convened for the first time in February 2020, in response to recommendations in the Liaison Committee's 2019 report, *Review of House of Lords Investigative and Scrutiny Committees*.¹⁰ To date the Forum has met 12 times, with five meetings in the 2021–22 session which have been well attended. The Forum has continued to highlight the requirements of committee activity, including input into ongoing Restoration and Renewal discussions and the allocation of committee room resource and facilities. The Forum has also been keen to explore how the work of committees is communicated both internally and externally and has prioritised this in discussions this year. The Forum has provided an opportunity to share committee innovations which this year included the establishment of the Environment and Climate Change Committee's Youth Engagement Programme (discussed further in paragraph 48).

Liaison Committee

16. The Liaison Committee itself has continued to be busy, producing six reports during the 2021/22 financial year. On 24 April 2021 we published our report following up the work of the Financial Inclusion Committee.¹¹ We commissioned an Easy Read version of that report¹², as we did for our follow-up report on The Equality Act 2010: the impact on disabled people.¹³

10 Liaison Committee, *Review of House of Lords Investigative and Scrutiny Committees: towards a new thematic committee structure* (6th Report, Session 2017–19, HL Paper 398)

11 Liaison Committee, *Tackling Financial Exclusion: A country that works for everyone? A follow-up report* (10th report, Session 2019–21, HL Paper 267)

12 Liaison Committee, *Easy Read version: Tackling Financial Exclusion: A country that works for everyone? A follow-up report* (27 August 2021): <https://committees.parliament.uk/publications/7083/documents/74741/default/>

13 Liaison Committee, *Easy Read version: The Equality Act 2010: the impact on disabled people: Follow-up report* (9 September 2021): <https://committees.parliament.uk/publications/7222/documents/75862/default/>

CHAPTER 2: SESSIONAL COMMITTEES

Introduction

17. Under House of Lords Standing Order 63¹⁴ certain committees are appointed on a ‘sessional’ basis: that is, their orders of appointment remain in force from one session to the next throughout a Parliament until the House orders otherwise. Sessional committees are for most practical purposes thus in permanent existence. In addition, the Committee of Selection, though not formally a sessional committee, is reappointed each session.¹⁵
18. The number of sessional committees has more than doubled over the past decade, with the most recent four sessional committees appointed in April 2021, as described in paragraph 3 above. These new committees quickly made their mark, and 2021–22 was a particularly busy year for all sessional committees.

Built Environment Committee

19. The Built Environment Committee was established in April 2021¹⁶ to consider matters relating to housing, planning, transport and infrastructure. In January 2022 it published its first major report, *Meeting housing demand*.¹⁷ The report made recommendations on how barriers to meeting demand can be overcome, including through planning reform and promoting small and medium-sized enterprises (SMEs). The report was well-received by policy makers and attracted significant media coverage. The Government response committed to implementing the Committee’s recommendations on housing for the elderly, among other issues.¹⁸ The Committee plans to hold a follow-up evidence session to monitor progress in autumn 2022. Leading on from that inquiry, the Committee is now undertaking a short inquiry into the effect of short-term lettings (including via Airbnb) on housing supply.¹⁹
20. The Committee is now holding its second major inquiry, on public transport in towns and cities. The inquiry is covering the impact of technological and digital developments on travel behaviours, future trends in public transport innovation and how public policy may be shaped by these trends.²⁰ In 2021 the Committee corresponded with the Government about its plans for rail fare reform, highlighting the need to encourage passengers to return to the railways after the pandemic.²¹
21. The Committee’s media profile and social media presence have grown, leaving a strong foundation for its future work. Stakeholder feedback

14 The numbering of Standing Orders changes from time to time. The number used here relates to the current version of the Standing Orders, published on [22 February 2022 \(HL Paper 232\)](#).

15 Erskine May 25th edition (2019), paragraph 40.2: <https://erskinemay.parliament.uk/section/6106/sessional%20committees/> [accessed 1 June 2022]

16 HL Deb, 14 April 2021, [cols 1289–1293](#)

17 Built Environment Committee, *Meeting housing demand* (1st Report, 2021–22, HL Paper 132)

18 HM Government, *Her Majesty’s Government’s response to the House of Lords Built Environment Committee report on Meeting Housing Demand* (28 March 2022): <https://committees.parliament.uk/publications/9234/documents/159940/default/> [accessed 4 May 2022]

19 Built Environment Committee, ‘Short-term lettings’: <https://committees.parliament.uk/work/6503/shortterm-lettings/>

20 Built Environment Committee, ‘Public transport in towns and cities’: <https://committees.parliament.uk/work/6493/public-transport-in-towns-and-cities/>

21 Letter from Baroness Neville-Rolfe, Chair of the Built Environment Committee to Chris Heaton-Harris MP, Minister of State at the Department for Transport (5 November 2021): <https://committees.parliament.uk/publications/7756/documents/80776/default/>

suggests that the Committee is already highly regarded in its areas of policy, particularly for the quality and detail of its reports.

Communications and Digital Committee

22. In July 2021 the Committee published *Free for all? Freedom of expression in the digital age*.²² This focused on freedom of speech in relation to the (then) draft Online Safety Bill. It concluded that “the rights and preferences of individuals must be at the heart of a new, joined-up regulatory approach” involving competition policy, data, design, law enforcement and the protection of children.²³
23. In November 2021 the Committee published *The Future of Channel 4*.²⁴ This examined the cases for privatising Channel 4 and for the status quo, identifying risks to each. The Committee concluded that any decision must be based on robust analysis and meaningful stakeholder consultation. The Committee identified several areas for further review, including modelling alternatives to an ownership change before proceeding with a sale, with projected revenues.²⁵
24. The Committee built on its March 2019 report, *Regulating in a digital world*,²⁶ and carried out an inquiry into the effectiveness of digital regulation, publishing the *Digital regulation: joined up and accountable* report in December 2021.²⁷ The Committee praised progress in regulatory collaboration but identified a continued need for improved coordination between and beyond regulators, and greater regulatory accountability to Parliament.²⁸ The Committee called for the Digital Regulation Cooperation Forum to be placed on a statutory footing as the Digital Regulation Board,²⁹ and for a joint committee to be appointed to scrutinise digital issues.³⁰
25. In January 2022 Baroness Stowell of Beeston succeeded Lord Gilbert of Panteg as Chair. In February the Committee launched an inquiry into BBC future funding, focusing on options for reform and the transition to a more competitive future media landscape.³¹
26. Parallel to this, the Committee has held several non-inquiry sessions. The Committee’s session on digital competition regulation with the Competition and Markets Authority (CMA) and Chris Philp MP, Minister for Tech and the Digital Economy, received industry and media interest³² for its renewed

22 Communications and Digital Committee, *Free for all? Freedom of expression in the digital age* (1st Report, Session 2021–22, HL Paper 54)

23 *Ibid.*, p 4

24 Communications and Digital Committee, *The future of Channel 4* (2nd Report, Session 2021–22, HL Paper 108)

25 *Ibid.*, para 55

26 Communications Committee, *Regulating in a digital world* (2nd Report, Session 2017–19, HL Paper 299)

27 Communications and Digital Committee, *Digital regulation: joined-up and accountable* (3rd Report, Session 2021–22, HL Paper 126)

28 *Digital regulation: joined-up and accountable*, p 2

29 *Ibid.*, para 62

30 *Ibid.*, para 80

31 Communications and Digital Committee, ‘Call for evidence’: <https://committees.parliament.uk/call-for-evidence/725/>

32 ‘Backlash After Reports Of Delays To Digital Markets Unit Legislation’ *News Media Association* (7 April 2022): <http://www.newsmediauk.org/Latest/backlash-after-reports-of-delays-to-digital-markets-unit-legislation-> [accessed 1 June 2022]

calls for the Digital Markets Unit in the CMA to be placed on a statutory footing, and for the CMA to make greater use of its powers.³³

27. In April 2022 the Committee held a session on strategic lawsuits against public participation (SLAPPs), which involve an abuse of legal processes to silence critical reporting and publishing.³⁴ This too received media interest³⁵ and the Committee wrote to the Government and regulator to encourage further action.

Constitution Committee

28. The Constitution Committee continued its scrutiny of the response to the COVID-19 pandemic. It published reports on *COVID-19 and Parliament*³⁶ and *COVID-19 and the use and scrutiny of emergency powers*,³⁷ concluding inquiries begun in session 2019–21.
29. In *COVID-19 and Parliament* the Committee concluded that the increased use by the Government of fast-track procedures, and the high number of statutory instruments laid in response to the pandemic, had severely limited Parliament’s ability to scrutinise significant powers. The Committee drew attention to a blurring between legislation and guidance. It concluded that necessary loss of spontaneity as a result of hybrid proceedings had made the House’s scrutiny role less effective.
30. In *COVID-19 and the use and scrutiny of emergency powers* the Committee criticised the lack of parliamentary oversight of the large volume of legislation introduced during the pandemic. It recommended that in future national emergencies there should be a presumption in favour of using sunset provisions in fast-tracked regulations and that the Government should seek Parliament’s approval of all affirmative instruments before they come into force. The Committee drew attention to an apparent diminution of intergovernmental cooperation between the UK Government and the devolved administrations since May 2020. It built on its earlier conclusions about a confusion between law and public health advice and guidance, recommending that guidance should clearly distinguish information about the law from public health advice and that a consistent approach to the use of terms such as “advice” and “guidance” should be adopted in all Government publications.³⁸

33 Letter from Baroness Stowell of Beeston, Chair of the Communications and Digital Committee to Chris Philp MP, Minister of State for Tech and the Digital Economy (23 February 2022): <https://committees.parliament.uk/publications/8971/documents/152542/default/>; letter from Baroness Stowell of Beeston, Chair of the Communications and Digital Committee to Dr Andrea Coscelli, Chief Executive Officer, Competition and Markets Authority (23 February 2022): <https://committees.parliament.uk/publications/8972/documents/152546/default/>

34 Communications and Digital Committee, ‘Lords Committee explores the impact of SLAPP cases on investigative journalism and publishing’: <https://committees.parliament.uk/event/13208/formal-meeting-oral-evidence-session/>

35 ‘Slap down for “chilling” cases’ *The Times* (14 April 2022): <https://www.thetimes.co.uk/article/slap-down-for-chilling-cases-v28jtfds5> and ‘SLAPP cases that get to court are “just the tip of the iceberg” of journalist intimidation’ *Press Gazette* (4 April 2022): <https://pressgazette.co.uk/impact-slap-cases-uk/>

36 Constitution Committee, *COVID-19 and Parliament* (1st Report, Session 2021–22, HL Paper 4)

37 Constitution Committee, *COVID-19 and the use and scrutiny of emergency powers* (3rd Report, Session 2021–22, HL Paper 15)

38 Constitution Committee, *COVID-19 and the use and scrutiny of emergency powers* (3rd Report, Session 2021–22, HL Paper 15), para 166

31. The Committee published a short report on the *Revision of the Cabinet Manual*.³⁹ The Committee recommended that a draft revision of the manual should be produced within 12 months of the publication of the report (i.e. by 8 July 2022),⁴⁰ that the Prime Minister should make clear in the foreword to the next edition the duty on all ministers to adhere to the constitutional principles in the manual⁴¹ and that the manual should be revised regularly, with drafts shared with the Constitution Committee and the relevant House of Commons committee.⁴² The Government has committed to seek to publish a revised draft “within this Parliament”.⁴³
32. The Committee spent much of the 2021–22 session on its inquiry into the future governance of the UK. The report *Respect and Co-operation: Building a Stronger Union for the 21st century*⁴⁴ made recommendations on the legislative consent process, including that, other than in exceptional circumstances, the UK Government ought not to seek to legislate in devolved areas without consent.⁴⁵ The Committee recommended that effective scrutiny of intergovernmental relations needed to be underpinned by greater transparency, with enhanced interparliamentary relations.⁴⁶ The report called for a principled devolution framework to provide a clear baseline for further devolution of powers within England, an end to the top-down mindset in Whitehall and greater fiscal devolution to English devolved authorities.⁴⁷ The Committee recommended that the devolved administrations and English devolved authorities should have a more constructive role in the governance of the Shared Prosperity Fund.⁴⁸
33. In February 2022 the Committee launched an inquiry into the roles of the Lord Chancellor and the Law Officers.⁴⁹ It intends to publish a report in autumn 2022.

39 Constitution Committee, *Revision of the Cabinet Manual* (6th Report, Session 2021–22. HL Paper 34)

40 Constitution Committee, *Revision of the Cabinet Manual* (6th Report, Session 2021–22. HL Paper 34), para 35

41 Constitution Committee, *Revision of the Cabinet Manual* (6th Report, Session 2021–22. HL Paper 34), para 20

42 Constitution Committee, *Revision of the Cabinet Manual* (6th Report, Session 2021–22. HL Paper 34), paras 36–38 and 44–46

43 Cabinet Office, *Government response to the Lord’s Constitution Committee report—Revision of the Cabinet Manual (Sixth Report of Session 2021–22)* (7 February 2022): <https://committees.parliament.uk/publications/8813/documents/89014/default/> [accessed 12 May 2022]

44 Constitution Committee, *Respect and Co-operation: Building a Stronger Union for the 21st century* (10th Report, Session 2021–22, HL Paper 142)

45 Constitution Committee, *Respect and Co-operation: Building a Stronger Union for the 21st century* (10th Report, Session 2021–22, HL Paper 142), para 124

46 Constitution Committee, *Respect and Co-operation: Building a Stronger Union for the 21st century* (10th Report, Session 2021–22, HL Paper 142), paras 203 and 219

47 Constitution Committee, *Respect and Co-operation: Building a Stronger Union for the 21st century* (10th Report, Session 2021–22, HL Paper 142), paras 259 and 279

48 Constitution Committee, *Respect and Co-operation: Building a Stronger Union for the 21st century* (10th Report, Session 2021–22, HL Paper 142), para 344

49 Constitution Committee, ‘Call for Evidence: The Role of the Lord Chancellor and the Law Officers’ (18 February 2022): <https://committees.parliament.uk/call-for-evidence/2567/>

34. The Committee also scrutinised all Government bills in the Lords, publishing nine reports on those of most constitutional interest.⁵⁰ The Committee drew attention to fast-tracking without a corresponding sunset clause and the increasing use of “guidance” instead of legislation. Following a finding in its *Respect and Co-operation* report, it recommended that, while the Sewel convention did not technically apply to delegated legislation, nevertheless Ministers should not make such legislation that engaged devolved competence without having sought consent.⁵¹ It also called for greater use of pre-legislative scrutiny and full consultation, particularly in constitutionally significant areas where consensus was important.⁵²
35. The Committee held its regular evidence sessions with the Lord Chief Justice,⁵³ the Lord Chancellor,⁵⁴ and the President and Deputy President of the Supreme Court of the United Kingdom.⁵⁵

Economic Affairs Committee

36. The Economic Affairs Committee published its report *Quantitative easing: a dangerous addiction?* in July 2021.⁵⁶ While it found that quantitative easing’s precise effect on inflation was unclear, the Committee concluded that loose monetary policy combined with high levels of Government spending, supply bottlenecks and a recovery in demand after the COVID-19 pandemic could be inflationary. It warned that inflation would be substantially more difficult to curb later if the Bank of England did not act sufficiently early.⁵⁷
37. The Committee was concerned that the Bank of England’s credibility was at risk from a growing perception that it was using quantitative easing (QE) to finance the Government’s deficit spending during the pandemic. It recommended that the Bank set out more detail on its understanding of the effects of QE and how QE would help solve the economic problems it was intended to address.⁵⁸ The Committee called for the Bank to set out a strategy for unwinding its QE programme when economic circumstances permitted,

50 Constitution Committee, *Environment Bill* (4th Report, Session 2021–22, HL Paper 26); *Telecommunications (Security) Bill* (5th Report Session 2021–22, HL Paper 27); *Police, Crime, Sentencing and Courts Bill* (7th Report, Session 2021–22, HL Paper 64); *Dissolution and Calling of Parliament Bill* (8th Report, Session 2021–22, HL Paper 100); *Health and Care Bill* (9th Report, Session 2021–22, HL Paper 136); *Nationality and Borders Bill* (11th Report, Session 2021–22, HL Paper 149); *Judicial Review and Courts Bill* (12th Report, Session 2021–22, HL Paper 160); *Elections Bill* (13th Report, Session 2021–22, HL Paper 164); *Economic Crime (Transparency and Enforcement) Bill* (14th Report, Session 2021–22, HL Paper 174)

51 Constitution Committee, *Respect and Co-operation: Building a Stronger Union for the 21st century* (10th Report, Session 2021–22, HL Paper 142), para 124

52 See, for instance, Constitution Committee, *Elections Bill* (13th Report, Session 2021–22, HL Paper 164), para 5

53 Oral evidence taken before the Constitution Committee, 26 May 2021 (Session 2021–22), [QQ 1–15](#) (Lord Burnett of Maldon)

54 Oral evidence taken before the Constitution Committee, 9 June 2021 (Session 2021–22), [QQ 1–29](#) (Rt Hon. Robert Buckland QC MP)

55 Oral evidence taken before the Constitution Committee, 6 April 2022 (Session 2021–22), [QQ 1–23](#) (Lord Reed of Allermuir and Lord Hodge)

56 Economic Affairs Committee, *Quantitative easing: a dangerous addiction?* (1st Report, Session 2021–22, HL Paper 42)

57 Economic Affairs Committee, *Quantitative easing: a dangerous addiction?* (1st Report, Session 2021–22, HL Paper 42)

58 Economic Affairs Committee, *Quantitative easing: a dangerous addiction?* (1st Report, Session 2021–22, HL Paper 42)

which the Bank did in its August 2021 Monetary Policy Report.⁵⁹ It also told the Committee that it would continue to enhance its understanding of QE as a priority topic in its research agenda.⁶⁰

38. To help publicise the report a short animated video was published on the Committee’s social media channels.⁶¹
39. In November 2021 the Committee held its annual oral evidence session with the Chancellor of the Exchequer. The session focused on the cost of living, the Government’s “plan for jobs”, changes to Universal Credit awards and social care funding.⁶²
40. In January 2022 the Committee published its report *Central bank digital currencies: a solution in search of a problem?*⁶³ The Committee concluded that it did not hear a convincing case for a central bank digital currency (CBDC) in the short term. It said that while a CBDC may provide some advantages, it could present significant challenges for financial stability and the protection of privacy. The report received widespread media coverage, including internationally, and at a joint seminar with the Royal United Services Institute Lord King of Lothbury presented the report’s conclusions and joined a panel discussion on the prospects for a UK CBDC.⁶⁴
41. A new Chair, Lord Bridges of Headley, was appointed in January 2022 and in February 2022 the Committee launched an inquiry into *UK energy supply and investment*. The Committee assessed whether the Government’s energy strategy is delivering investment in an energy supply that is resilient, affordable and in line with achieving net zero emissions. The focus of this inquiry is on long-term energy policies and trends.⁶⁵

Finance Bill Sub-Committee

42. The Finance Bill Sub-Committee published its report, *Basis Period Reform and Uncertain Tax Treatments*, which considered two separate proposals contained in the draft Finance Bill, on 15 December 2021.⁶⁶ The Sub-Committee took written and oral evidence from business organisations, tax professionals and individuals and heard evidence from HMRC officials. The first of the proposals considered was the reform of basis period rules as they applied to self-employed individuals and partnerships. The Sub-Committee

59 Bank of England, *Monetary Policy Report- August 2021*: <https://www.bankofengland.co.uk/-/media/boe/files/monetary-policy-report/2021/august/monetary-policy-report-august-2021.pdf> [accessed 23 May 2022]

60 Bank of England, *Bank of England response to the Lords Economic Affairs Committee’s report on Quantitative Easing* (16 September 2021): <https://committees.parliament.uk/publications/7359/documents/76988/default/>

61 Economic Affairs Committee (@LordsEconCom), tweet on 23 July 2021: <https://twitter.com/LordsEconCom/status/1418465985707847681> [accessed 30 June 2022]

62 Oral evidence taken before the Economic Affairs Committee, 2 November 2021 (Session 2021–22) [QQ 1–19](#) (The Rt Hon. Rishi Sunak MP)

63 Economic Affairs Committee, *Central bank digital currencies: a solution in search of a problem?* (3rd Report, Session 2021–22, HL Paper 131)

64 RUSI, ‘Central Bank Digital Currencies: Plotting a Path Ahead for the UK’ (January 2022): <https://rusi.org/events/open-to-all/central-bank-digital-currencies-plotting-path-ahead-uk> [accessed 12 May 2022]

65 Economic Affairs Committee, ‘*Energy supply and investment inquiry launched by Economic Affairs Committee*’ (10 February 2022): <https://committees.parliament.uk/committee/175/economic-affairs-committee/news/160936/energy-supply-and-investment-inquiry-launched-by-economic-affairs-committee/>

66 Economic Affairs Committee, *Basis Period Reform and Uncertain Tax Treatments* (2nd Report, Session 2021–22, HL Paper 128)

expressed concern that the case had not been made for the reform but did not recommend that the proposal should be abandoned. The report also considered the requirement on large businesses to notify HMRC of uncertain tax treatments, which the Sub-Committee had examined previously in its inquiry on the Finance Bill 2021.⁶⁷ The Government's response accepted two of the Sub-Committee's 11 recommendations and accepted in part a further six recommendations.⁶⁸

43. The Sub-Committee also followed up its previous inquiry into off-payroll working. In its 2020 report, *Off-payroll working: treating people fairly*, the Sub-Committee had considered the Government's proposal to extend reforms implemented in the public sector in 2017 to large and medium-sized businesses in the private sector.⁶⁹ The follow-up inquiry looked at the implementation of the rules in the private sector, and how the rules are working in practice. The Sub-Committee received over 30 written evidence submissions, including from individual contractors. It also took evidence from the Financial Secretary to the Treasury, Rt Hon. Lucy Frazer QC MP,⁷⁰ and subsequently wrote to the Minister outlining its conclusions and recommendations.⁷¹ The Financial Secretary responded to the letter in March 2022.⁷²

Environment and Climate Change Committee

44. The Environment and Climate Change Committee was established in April 2021.⁷³ In June 2021 the Committee launched two inquiries into COP15, the United Nations Biodiversity Conference,⁷⁴ and COP26, the United Nations Climate Change Conference.⁷⁵ In November 2021 the Committee launched a third inquiry into mobilising action through behaviour change for climate and environmental goals.⁷⁶
45. The Committee's inquiry into COP15⁷⁷ has explored preparations for the fifteenth meeting of the UN Convention on Biological Diversity, which was due to take place in China in October 2021 but was postponed due to the COVID-19 pandemic. Rearrangements for COP15 have not been confirmed,

67 Economic Affairs Committee, *Off-payroll working: treating people fairly* (1st Report, Session 2019–20, HL Paper 50)

68 HM Treasury, 'Government response to the House of Lords Economic Affairs Finance Bill Sub-Committee Report: 'Basis Period Reform and Uncertain Tax Treatments'' (1 February 2022): <https://committees.parliament.uk/publications/8725/documents/88533/default/>

69 Economic Affairs Committee, *Off-payroll working: treating people fairly* (1st Report, Session 2019–20, HL Paper 50)

70 Oral evidence taken before the Economic Affairs Committee, 13 December 2021 (Session 2021–22) [QQ 32–49](#) (Rt Hon. Lucy Frazer QC MP)

71 Letter from Lord Bridges of Headley, Chair of the Economic Affairs Finance Bill Sub-Committee, to Rt Hon. Lucy Frazer QC MP, Financial Secretary to the Treasury (9 February 2022): <https://committees.parliament.uk/publications/8852/documents/89170/default/>

72 HM Treasury and HM Revenue and Customs, *Government response to the House of Lords Economic Affairs Finance Bill Sub-Committee: Off-payroll working follow-up inquiry* (March 2022): <https://committees.parliament.uk/publications/9257/documents/160108/default/>

73 HL Deb, 14 April 2021, [col 1289](#)

74 Environment and Climate Change Committee, 'COP15: the international biodiversity conference': <https://committees.parliament.uk/work/1305/cop15-the-international-biodiversity-conference/>

75 Environment and Climate Change Committee, 'Delivering COP26 across Government': <https://committees.parliament.uk/work/1306/delivering-cop26-across-government/>

76 Environment and Climate Change Committee, 'Mobilising action on climate change and environment: behaviour change': <https://committees.parliament.uk/work/1621/mobilising-action-on-climate-change-and-environment-behaviour-change/>

77 Environment and Climate Change Committee, 'COP15: the international biodiversity conference': <https://committees.parliament.uk/work/1305/cop15-the-international-biodiversity-conference/>

so the inquiry remains ongoing. As part of this inquiry, the Committee has held evidence sessions with a variety of witnesses including the Minister and First Staff Member of the Embassy of the People’s Republic of China in the UK⁷⁸, the Secretary of State for Defra George Eustice⁷⁹ and Defra Minister Lord Goldsmith.⁸⁰ The Committee sent a summative letter to Defra with twelve recommendations in relation to preparations for COP15.⁸¹ A concurrent meeting of the Committee and the Commons Environmental Audit Committee is planned for early in the 2022–23 session in which Members of both Committees will question Defra Ministers about the Government’s approach to subjects like finance, digital sequence information, a clear role for business in the framework, and progress with World Trade Organization Trade and Environmental Sustainability Structured Discussions (WTO TESSD) discussions.

46. As part of its COP26 inquiry, the Committee has focused on cross-government delivery of COP26.⁸² The Committee held an evidence session with COP26 President the Rt Hon. Alok Sharma MP in January⁸³ and has written summative letters to both the COP Unit in the Cabinet Office and BEIS as part of the inquiry.⁸⁴ The Chair of the Committee, Baroness Parminter, represented the Committee in a UK Parliament event at COP26 in Glasgow. The event highlighted the importance of legislatures worldwide in the scrutiny and delivery of national climate commitments and wider climate and nature policy and involved Chairs of climate-focused select committees from the UK, Uganda, Pakistan and the Republic of Indonesia.
47. In November 2021, the Committee launched an inquiry into mobilising action on climate and environment goals through behaviour change.⁸⁵ The Committee will report on this inquiry at the end of July 2022. The Committee appointed a special advisor for this inquiry, Professor Lorraine Whitmarsh, who is a leader in the field of behaviour change for climate and the environment. A wide range of witnesses have participated in evidence-gathering sessions, including representatives from the Behavioural Insights Team, the Committee on Climate Change, Climate Assembly UK, Ipsos MORI, Marks & Spencer, the Tony Blair Institute for Global Change, and the Advertising Association; politicians from across the world such as the French Minister for the Ecological Transition Barbara Pompili, the Governor of Tokyo Yuriko Koike and Secretary General at Nordic Council

78 Oral evidence taken before the Environment and Climate Change Committee, 29 June 2021 (Session 2021–22), [QQ 34-45](#) (Minister Yang Xiaoguang)

79 Oral evidence taken before the Environment and Climate Change Committee, 6 July 2021 (Session 2021–22), [QQ 54-62](#) (Rt Hon. George Eustice MP)

80 Oral evidence taken before the Environment and Climate Change Committee, 15 June 2021 (Session 2021–22), [QQ 1-9](#) (Lord Goldsmith of Richmond Park)

81 Letter from Baroness Parminter, Chair of the Environment and Climate Change Committee, to the Rt Hon. George Eustice MP, Secretary of State for Environment, Food and Rural Affairs on COP15 UN Biodiversity Conference (22 July 2021): <https://committees.parliament.uk/publications/6943/documents/72688/default/>

82 Environment and Climate Change Committee, ‘Delivering COP26 across Government’: <https://committees.parliament.uk/work/1306/delivering-cop26-across-government/>

83 Oral evidence taken before the Environment and Climate Change Committee, 10 January 2022 (Session 2021–22), [QQ 9-23](#) (Alok Sharma MP)

84 Environment and Climate Change Committee, ‘Correspondence: Delivering COP26 across Government’: <https://committees.parliament.uk/work/1306/delivering-cop26-across-government/publications/3/correspondence/>

85 Environment and Climate Change Committee, ‘Mobilising action on climate change and environment: behaviour change’: <https://committees.parliament.uk/work/1621/mobilising-action-on-climate-change-and-environment-behaviour-change/>

of Ministers Paula Lehtomäki; and leaders in a variety of sectors including Henry Dimbleby, Chris Boardman and Sir Patrick Vallance.⁸⁶

48. The Committee has also launched a pioneering youth engagement programme through which students in six schools across the UK can engage with the Committee’s work on climate change and the environment and learn more about select committees in the House of Lords. The programme received over 100 applications, and six schools were selected from across all nations in the UK in January 2022. The pilot programme is scheduled to run until December 2022, with a variety of pieces of engagement running throughout the year across multiple inquiries, including visits from the Chair to each of the schools.⁸⁷

European Affairs Committee

49. The European Affairs Committee was appointed on 14 April 2021 as the successor Committee to the former European Union Select Committee and its sub-committees.⁸⁸ In its first year of operation, the Committee has held two evidence sessions with Rt Hon. the Lord Frost CMG in his capacity of Minister of State at the Cabinet Office.⁸⁹ The Committee also continues to scrutinise Government activity and EU documents created under the auspices of the institutional framework created by the Withdrawal Agreement and the Trade and Cooperation Agreement. In this regard, the Committee has engaged throughout its first year of operation with the Government and the European Scrutiny Committee in the Commons. By the end of the session the Committee was close to formalising a new framework for the ongoing scrutiny of Government and EU activity that falls within the Committee’s terms of reference.
50. In its first year of operation, the Committee has concluded two substantial inquiries, publishing reports on *Citizens’ Rights*⁹⁰ and *Trade in Goods between Great Britain and the European Union*.⁹¹ The Committee has also engaged in several smaller pieces of work, taking evidence and corresponding with the Government and the EU institutions regarding the movement of Creative Professionals between the UK and the EU Member States,⁹² and UK participation in the EU’s Horizon Programme.⁹³

86 Environment and Climate Change Committee, ‘Oral evidence transcripts: Mobilising action on climate change and environment: behaviour change’: <https://committees.parliament.uk/work/1621/mobilising-action-on-climate-change-and-environment-behaviour-change/publications/oral-evidence/>

87 Environment and Climate Change Committee, ‘Six schools from across the UK selected to take part in youth engagement programme’: <https://committees.parliament.uk/committee/515/environment-and-climate-change-committee/news/160257/six-schools-from-across-the-uk-selected-to-take-part-in-youth-engagement-programme/>

88 HL Deb, 14 April 2021, col 1289- 1293

89 Oral evidence taken before the European Affairs Committee, 18 May 2021 (Session 2021–22) [QQ 1-17](#) (Lord Frost) and oral evidence taken before the European Affairs Committee, 26 October 2021 (Session 2021–22) [QQ 1-24](#) (Lord Frost)

90 European Affairs Committee, *Citizens’ Rights* (1st Report, Session 2021–22, HL Paper 46)

91 European Affairs Committee, *One year on—Trade in goods between Great Britain and the European Union* (4th Report, Session 2021–22, HL Paper 124)

92 European Affairs Committee, ‘Correspondence: Movement of creative professionals’: <https://committees.parliament.uk/work/1466/movement-of-creative-professionals/publications/3/correspondence/>

93 European Affairs Committee, ‘Correspondence: The UK’s participation in Horizon Europe’: <https://committees.parliament.uk/work/6494/the-uks-participation-in-horizon-europe/publications/3/correspondence/>

51. At the end of the session the Committee was coming to the end of its third substantial inquiry, into financial services between the UK and the EU. It is expecting to publish its report in the early summer of 2022.⁹⁴

Sub-Committee on the Ireland/Northern Ireland Protocol

52. The Sub-Committee on the Protocol on Ireland/Northern Ireland has within its membership a range of expertise in Northern Ireland and of views on the Protocol and on Northern Ireland's constitutional status. Since its appointment by the European Affairs Committee in April 2021, the Sub-Committee has been undertaking six core tasks, as proposed by the Liaison Committee in December 2020.⁹⁵
- Document-based scrutiny of new or amended EU legislation within the scope of the Protocol;
 - Scrutiny of the implications of relevant domestic UK legislation and policy for Northern Ireland;
 - Scrutiny of the Northern Ireland-related work of the UK-EU governance bodies established under the Withdrawal Agreement and Protocol;
 - Monitoring the Protocol's political and socio-economic impact on Northern Ireland;
 - Reviewing the impact of the Protocol (and Brexit more broadly) on the UK-Irish bilateral relationship; and
 - Interparliamentary dialogue in relation to the Protocol, including through meetings with the Northern Ireland Assembly and the Irish Oireachtas.
53. In July 2021, the Sub-Committee published a detailed introductory report,⁹⁶ setting out its approach to its work (without prejudice to the views of individual members, to scrutinise the impact of the Protocol rather than to argue for or against it, per se), and its assessment of the Protocol's socio-economic and political impact on Northern Ireland since it came into force in January 2021.
54. Since then, and against the backdrop of continuing UK-EU discussions on the future of the Protocol, the Sub-Committee has examined individual aspects of the Protocol's operation, and has taken evidence on and written detailed letters to the Government on:
- The operation of Article 2 of the Protocol (rights of individuals)⁹⁷;

94 European Affairs Committee, 'UK-EU relationship in financial services': <https://committees.parliament.uk/work/6514/ukey-relationship-in-financial-services/>

95 Liaison Committee, *Review of investigative and scrutiny committees: strengthening the thematic structure through the appointment of new committees* (5th Report, Session 2019–21, HL Paper 193)

96 European Affairs Committee, *Report from the Sub-Committee on the Protocol on Ireland/Northern Ireland: Introductory report* (2nd Report, Session 2021–22, HL Paper 55)

97 Protocol on Ireland/Northern Ireland Sub-Committee, 'Article 2 of the Protocol (rights of individuals)': <https://committees.parliament.uk/work/1463/article-2-of-the-protocol-rights-of-individuals/publications/>

- Provision of medicines to Northern Ireland under the Protocol⁹⁸;
 - The ‘democratic deficit’ under the Protocol, whereby aspects of EU law apply to Northern Ireland without its prior consent, and ways to enhance Northern Ireland’s voice and influence⁹⁹; and
 - The role of the Court of Justice of the European Union in relation to the Protocol, and the safeguard mechanism set out in Article 16.¹⁰⁰
55. In March 2022, the Sub-Committee launched a follow-up inquiry into the impact of the Protocol a year after it came into force. This inquiry will continue in the new session, taking account of the outcome of the May 2022 Northern Ireland Assembly elections.¹⁰¹
56. Also in March 2022, the Committee published a report on its scrutiny of EU legislative proposals within the scope of the Protocol.¹⁰² This report summarised the Sub-Committee’s scrutiny work (writing over 90 letters to Government Ministers on over 40 EU legislative proposals across a wide range of policy areas and of considerable technical complexity), and concluded that both the UK and the EU needed to work harder to explain the impact of EU legislation on Northern Ireland, and to enhance the voice and influence of Northern Ireland stakeholders over the application of such legislation. The Sub-Committee has also undertaken important scrutiny of domestic UK legislation with implications for Northern Ireland in respect of Brexit and the Protocol, including the Elections Bill, the Nationality Control Bill and the Subsidy Control Bill.

Industry and Regulators Committee

57. The Industry and Regulators Committee was first established in April 2021 to consider matters relating to industry, including the Government’s policies to promote industrial growth, skills and competitiveness, and to scrutinise the work of UK regulators.¹⁰³ It launched its first inquiry into Ofgem and net zero in June 2021. The report, published in March 2022, highlighted the lack of policy clarity from the Government regarding the steps necessary to achieve its ambitious net zero goals and considered the institutional and regulatory architecture needed to support the transition to net zero as well as the effect on consumers of the changing nature of the energy market.¹⁰⁴
58. The Committee held one-off evidence sessions on the costs of anti-money laundering rules and on the Government’s Plan for Growth, following

98 Protocol on Ireland/Northern Ireland Sub-Committee, ‘Impact of the Protocol on the provision of medicines to Northern Ireland’: <https://committees.parliament.uk/work/1539/impact-of-the-protocol-on-the-provision-of-medicines-to-northern-ireland/publications/>

99 Protocol on Ireland/Northern Ireland Sub-Committee, ‘Scrutiny of Operation of the Protocol’: <https://committees.parliament.uk/work/1474/scrutiny-of-operation-of-the-protocol/publications/>

100 Protocol on Ireland/Northern Ireland Sub-Committee, ‘The role of the CJEU in relation to the Protocol on Ireland/Northern Ireland’: <https://committees.parliament.uk/work/6402/the-role-of-the-cjeu-in-relation-to-the-protocol-on-irelandnorthern-ireland/publications/>

101 Protocol on Ireland/Northern Ireland Sub-Committee, ‘Follow-up inquiry on the impact of the Protocol on Ireland/Northern Ireland’: <https://committees.parliament.uk/work/6568/followup-inquiry-on-the-impact-of-the-protocol-on-irelandnorthern-ireland/>

102 European Affairs Committee, *Report from the Sub-Committee on the Protocol on Ireland/Northern Ireland: Scrutiny of EU legislative proposals within the scope of the Protocol on Ireland/Northern Ireland* (5th Report, Session 2021–22, HL Paper 177)

103 HL Deb, 14 April 2021, [col 1290](#)

104 Industry and Regulators Committee, *The net zero transformation: delivery, regulation and the consumer* (1st report, Session 2021–22, HL Paper 162)

the latter of which it wrote to the Exchequer Secretary of the Treasury.¹⁰⁵ The letter identified three areas of concern: a lack of prioritisation; a lack of reporting, which would inhibit parliamentary scrutiny; and a lack of consultation.

59. The Committee also conducted a short inquiry into commercial insurance and reinsurance regulation, on the basis of which it wrote to the Economic Secretary to the Treasury in April 2022, expressing concern over the industry’s view of an overly inflexible and bureaucratic regulatory framework.¹⁰⁶ The Committee emphasised the need for the Government’s proposal to introduce a secondary competitiveness and growth objective for the financial regulators to be reinforced with clear criteria and appropriate performance measures for the regulators to report on, ensuring they reflect on their performance against this objective and allowing scrutiny by stakeholders.

International Agreements Committee

60. In the 2021–22 session, the International Agreements Committee published 19 reports scrutinising 29 international treaties. These covered a wide range of policy areas, including trade, defence, energy, transport, and justice cooperation.¹⁰⁷ The Committee called for and held debates on trade partnership agreements with Ghana¹⁰⁸ and Cameroon,¹⁰⁹ an agreement to provide credit to Ukraine to support its naval capabilities,¹¹⁰ and an agreement with Australia and the US to exchange nuclear information.¹¹¹
61. The Committee also reported on and debated the Government’s negotiating objectives for the UK’s accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP).¹¹² This focus on the negotiating objectives was a first for any parliamentary committee in either House and reflects the Committee’s determination to ensuring members can have a say on post-Brexit trade agreements early in the negotiations. In addition, the Committee opened or continued its inquiries into the trade negotiations with Australia, New Zealand and India, and into a digital agreement with Singapore.¹¹³
62. The Committee continued its efforts to improve the quality of parliamentary scrutiny of all international agreements through recommendations in its report *Working Practices: one year on*.¹¹⁴ By engaging with the Government and

105 Letter from Lord Hollick, Chair of the Industry and Regulators Committee to Kemi Badenoch MP, Exchequer Secretary to the Treasury (2 July 2021): <https://committees.parliament.uk/publications/6566/documents/71156/default/>

106 Letter from Lord Hollick, Chair of the Industry and Regulators Committee to John Glen MP, Economic Secretary to the Treasury (6 April 2022): <https://committees.parliament.uk/publications/9596/documents/162439/default/>

107 International Agreements Committee, ‘International Agreements Committee Reports, special reports and government responses’: <https://committees.parliament.uk/committee/448/international-agreements-committee/publications/reports-responses/>

108 HL Deb, 29 June 2021, [col 776](#)

109 HL Deb, 29 June 2021, [cols 751-776](#)

110 HL Deb, 5 January 2022, [cols 83GC-108GC](#)

111 HL Deb, 17 January 2022, [cols 157GC-186GC](#)

112 International Agreements Committee, *UK accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP): Scrutiny of the Government’s Negotiating Objectives* (10th Report, Session 2021–22, HL Paper 94) and HL Deb, 1 February 2022, [cols 165GC-196GC](#)

113 International Agreements Committee, ‘All inquiries’: <https://committees.parliament.uk/committee/448/international-agreements-committee/work/inquiries/?status=any>

114 International Agreements Committee, *Working Practices: one year on* (7th Report, Session 2021–22, HL Paper 75)

the media, and co-ordinating support from other committees with an interest in scrutiny, the Committee secured one of its key ‘asks’—an undertaking by the Government to confirm and consolidate its commitments to support parliamentary scrutiny of free trade agreements.

International Relations and Defence Committee

63. The International Relations and Defence Committee published its report, *The UK and China’s security and trade relationship*, in September 2021.¹¹⁵ The Committee criticised the Government for a lack of a written China strategy and ambiguity in its approach to China. In particular, the Committee was concerned that the Government had no strategy for balancing its ambition for increased economic engagement with China with the need to protect the UK’s wider interests and values. The Committee has had continued correspondence with the Ministers for Asia and Trade on follow-up to the report.¹¹⁶
64. Since the Taliban takeover of Afghanistan in August 2021, the Committee has collaborated with several other Committees in bringing urgent issues to the attention of the Government. In September 2021 the Committee wrote joint letters to the Foreign Secretary with the Communications and Digital Committee (on the safety of Afghan journalists)¹¹⁷ and with the Justice and Home Affairs Committee (on the safety of women judges in Afghanistan).¹¹⁸ In January 2022 the Committee’s Afghanistan report was debated, and Members highlighted the prescience and importance of the report, which was published in January 2021.¹¹⁹ The Committee held a follow-up session with Lord Ahmad of Wimbledon, Minister for South and Central Asia, North Africa, United Nations and the Commonwealth, in March 2022.¹²⁰
65. In October 2021 the Committee launched a new inquiry into the United Nations Convention on the Law of the Sea (UNCLOS) and published its report, *UNCLOS, the law of the sea in the 21st century*, in March 2022.¹²¹ The Committee highlighted new concerns and new uses of the sea which pose a challenge to this 40-year-old international treaty, including climate change, human rights abuses, and autonomous maritime vehicles. It called for ambitious new international agreements to supplement UNCLOS, in

115 International Relations and Defence Committee, *The UK and China’s security and trade relationship* (1st Report, Session 2021–22, HL Paper 62)

116 Letter from Baroness Anelay of St Johns, Chair of the International Relations and Defence Committee, to Rt Hon. Amanda Milling MP, Minister of State for Asia and Mike Freer, Minister for Exports, (4 January 2022): <https://committees.parliament.uk/publications/8348/documents/84962/default/>; Letter from the Rt Hon. Amanda Milling MP, Minister of State for Asiato Baroness Anelay of St Johns, Chair of the International Relations and Defence Committee (9 February 2022): <https://committees.parliament.uk/publications/8935/documents/152371/default/>

117 Letter from Baroness Anelay of St Johns, Chair of the International Relations and Defence Committee and Lord Gilbert of Panteg, Chair of the Communications and Digital Committee to Rt Hon. Dominic Raab MP, Secretary of State for Foreign, Commonwealth and Development Affairs (15 September 2021): <https://committees.parliament.uk/publications/7328/documents/77286/default/>

118 Letter from Baroness Anelay of St Johns, Chair of the International Relations and Defence Committee and Baroness Hamwee, Chair of the Justice and Home Affairs Committee to Rt Hon. Elizabeth Truss, Secretary of State for Foreign, Commonwealth and Development Affairs (20 September 2021): <https://committees.parliament.uk/publications/7380/documents/77314/default/>

119 International Relations and Defence Committee, *The UK and Afghanistan* (2nd Report, Session 2019–21, HL Paper 208)

120 Oral evidence taken before the International Relations and Defence Committee, 16 March 2022 (Session 2021–22) [QQ 1–11](#) (Lord Ahmad of Wimbledon)

121 International Relations and Defence Committee, *UNCLOS: The law of the sea in the 21st century* (2nd Report, Session 2021–22, HL Paper 159)

particular to deal with the effects of sea level rise on maritime entitlements, and human rights abuses at sea. The Committee criticised the Government for failing to act to strengthen the conditions of ship registry and tackle the problem of flags of convenience.

66. In March 2022 Committee held a one-off session on the merger between the Foreign and Commonwealth Office and the Department for International Development.¹²² Throughout the year it has also continued to oppose the cuts to overseas development aid and, along with the House of Commons International Development Committee, press the Foreign Secretary to release the equalities impact assessment for the cuts.¹²³
67. The Committee launched its next inquiry, defence concepts and capabilities: from aspiration to reality, in April 2022, and plans to take evidence until autumn 2022.¹²⁴

Justice and Home Affairs Committee

68. The Justice and Home Affairs Committee was appointed on 14 April 2021 to “consider justice and home affairs, including the domestic criminal justice system, and international cooperation in respect of criminal justice, civil justice, migration and asylum.”¹²⁵ The Committee launched a 10-month inquiry into the use of technologies by the police and in the justice system, involving six public oral evidence sessions and a meeting with the Minister of State for Crime and Policing. The report, *Technology rules? The advent of new technologies in the justice system*, was published on 30 March 2022.¹²⁶ The report explores the use of Artificial Intelligence (AI) and other advanced algorithmic tools in activities to discover, deter, rehabilitate, or punish people who breach the law in England and Wales. While the Committee acknowledges the potential of these technologies, it warns against the pace of their deployment and the absence of appropriate safeguards.
69. The Committee held oral evidence sessions with the Lord Chancellor in September 2021¹²⁷ and the Home Secretary in October 2021¹²⁸ to scrutinise the policies of their respective departments. The Committee paid specific attention to the Home Office’s policy in relation to the crossing of the English Channel by small boats, following up in a letter to the Home Secretary.¹²⁹

122 Oral evidence taken before the International Relations and Defence Committee, 30 March 2022 (Session 2021–22) [QQ 1–10](#) and [QQ 11–22](#)

123 Correspondence between the House of Commons International Development Committee and the International Relations and Defence Committee with Rt Hon. Elizabeth Truss MP, Secretary of State for Foreign, Commonwealth and Development Affairs (7 February 2022): <https://committees.parliament.uk/publications/9313/documents/160509/default/>

124 International Relations and Defence Committee, ‘Defence concepts and capabilities: from aspiration to reality’: <https://committees.parliament.uk/work/6638/defence-concepts-and-capabilities-from-aspiration-to-reality/>

125 HL Deb, 14 April 2021, [col 1291](#)

126 Justice and Home Affairs Committee, *Technology Rules? The advent of new technologies in the justice system* (1st Report, Session 2021–22, HL Paper 180)

127 Oral evidence taken before the Justice and Home Affairs Committee, 15 September 2021 (Session 2021–22) [QQ 1–17](#) (Rt Hon. Robert Buckland QC MP)

128 Oral evidence taken before the Justice and Home Affairs Committee, 27 October 2021 (Session 2021–22) [QQ 1–15](#) (Rt Hon. Priti Patel MP)

129 Letter from Baroness Hamwee, Chair of the Justice and Home Affairs Committee to the Rt Hon. Priti Patel MP, Home Secretary (8 December 2021): <https://committees.parliament.uk/publications/8134/documents/83394/default/>

The Committee continued the work of previous committees¹³⁰ on the UK membership of the Lugano Convention through correspondence with the Lord Chancellor.¹³¹

70. The Committee also took particular interest in the Entry/Exit System (EES) and the European Travel Authorisation System (ETIAS), two EU border management systems due to be launched imminently and expected to have a significant impact on British citizens and on UK soil. It held a public oral evidence session and sent two substantial letters to the Home Secretary on this matter.¹³² In March 2022, the Committee launched a new inquiry on the Life in the UK Test that prospective citizens and permanent residents must take.¹³³

Public Services Committee

71. In its second year, the Public Services Committee published a wide-ranging report on how public services can address child vulnerability.¹³⁴ The report was well-received by policymakers and frontline workers, and in the media. In December 2021 the Committee held an online seminar on the report, chaired by the specialist adviser for the inquiry, former Children’s Commissioner Anne Longfield OBE, with panellists from the voluntary sector and local government.¹³⁵
72. The Committee scrutinised the effect on public services of the Government’s policies on procurement, data-sharing, funding and “levelling up”.¹³⁶ It launched a major new inquiry: “Designing a public services workforce fit for the future”.¹³⁷ In February 2022 it organised a one-off evidence session on access to public services by Gypsy, Roma and Traveller communities.¹³⁸ All the Committee’s work draws on the “principles for public services reform”¹³⁹ it drew up in its first year, which have provided a coherent basis from which the Committee can consider its wide policy remit. The Committee continues

130 The former EU Justice Sub-Committee and EU Security and Justice Sub-Committee both scrutinised the Government’s policy in relation to the UK’s membership of the 2007 Convention on jurisdiction and the enforcement of judgements in civil and commercial matters signed in Lugano, Switzerland.

131 Letters from Baroness Hamwee, Chair to the Justice and Home Affairs Committee to the Rt Hon. Robert Buckland QC, MP, Lord Chancellor and Secretary of State for Justice (13 May 2021): <https://committees.parliament.uk/publications/5840/documents/66433/default/> and (16 July 2021): <https://committees.parliament.uk/publications/6792/documents/72156/default/>

132 Letters from Baroness Hamwee, Chair to the Justice and Home Affairs Committee to the Rt Hon. Priti Patel MP, Home Secretary (1 July 2021): <https://committees.parliament.uk/publications/6513/documents/70751/default/> and (22 November 2021): <https://committees.parliament.uk/publications/7930/documents/82117/default/>

133 Justice and Home Affairs Committee, ‘The Life in the UK test’: <https://committees.parliament.uk/work/6615/the-life-in-the-uk-test/>

134 Public Services Committee, *Children in crisis: the role of public services in overcoming child vulnerability* (1st Report, Session 2021–22, HL Paper 95)

135 Public Services Committee, ‘Webinar: Children in crisis: the role of public services in overcoming child vulnerability’: <https://committees.parliament.uk/committee/430/public-services-committee/news/159818/webinar-children-in-crisis-the-role-of-public-services-in-overcoming-child-vulnerability/>

136 Public Services Committee, ‘“Levelling-up” and public services’: <https://committees.parliament.uk/work/1036/levelling-up-and-public-services/publications/>

137 Public Services Committee, ‘Designing a public services workforce fit for the future’: <https://committees.parliament.uk/work/6403/designing-a-public-services-workforce-fit-for-the-future/>

138 Public Services Committee, ‘Access to public services for the Gypsy, Roma and Traveller Communities’: <https://committees.parliament.uk/work/6471/access-to-public-services-for-the-gypsy-roma-and-traveller-communities/>

139 Public Services Committee, *A critical juncture for public services: lessons from COVID-19* (1st Report, Session 2019–21, HL Paper 167)

to engage closely with stakeholders outside Parliament, with a particular emphasis on those who may not have engaged previously, including service users and vulnerable children.

73. The Public Services Committee’s media profile and social media presence continues to grow, with live tweeting of evidence sessions, and over 950 followers as of June 2022. Public Service Committee reports often feature on the House of Lords’ main social media platforms.

Science and Technology Committee

74. The Science and Technology Committee published *Battery strategy goes flat: Net-zero target at risk* in July 2021.¹⁴⁰ The report made recommendations to address gaps in Government policy on batteries and fuels cells. Technology in these areas will be crucial to meeting the net-zero by 2050 target. In line with one of the Committee’s recommendations, the Government released its hydrogen strategy in August 2021.¹⁴¹ The Government also held a consultation on when to end the sale of non-zero emission heavy goods vehicles.
75. The Committee published *Nature-based solutions: rhetoric or reality?*² in January 2022.¹⁴² The report welcomed the ambition of the Government’s policies on nature-based solutions but concluded they were at severe risk of failure. The Committee identified gaps in the evidence base for the carbon storage and sequestration rate of certain habitats, particularly marine habitats, and recommended that the Government addresses these gaps. The Government agreed with the gaps identified by the Committee and outlined steps they were taking to address them.¹⁴³ The Committee recommended that the Government establishes an advisory service for farmers and land managers to help them engage with the schemes introduced to encourage changes in land use. The Committee also raised concerns that tenancy agreements may hinder shifts in land use.¹⁴⁴ The report received coverage in the specialist farming media, including *Farming Today*.¹⁴⁵
76. The Committee wrote to Mr Sharma as president of COP26 urging that nature-based solutions be included in the decision text of COP26.¹⁴⁶ It outlined principles to inform the UK’s negotiating stance for the international deployment of nature-based solutions.

140 Science and Technology Committee, *Battery strategy goes flat: Net-zero target at risk* (1st Report, Session 2021–22, HL Paper 53)

141 HM Government, *UK Hydrogen Strategy*, CP 475, August 2021: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1011283/UK-Hydrogen-Strategy_web.pdf [accessed 27 May 2022]

142 Science and Technology Committee, *Nature-based solutions: rhetoric or reality? The potential contribution of nature-based solutions to net zero in the UK* (2nd Report, Session 2021–22, HL Paper 147)

143 Department for Environment, Food and Rural Affairs, *Government Response to the 2nd report of the House of Lords Science and Technology Select Committee on the potential contribution of nature-based solutions to net zero in the UK “Nature-based solutions: rhetoric or reality?”*: <https://committees.parliament.uk/publications/21945/documents/163133/default/> [accessed 30 May 2022]

144 Science and Technology Committee, *Nature-based solutions: rhetoric or reality? The potential contribution of nature-based solutions to net zero in the UK* (2nd Report, Session 2021–22, HL Paper 147)

145 BBC, ‘*Farming Today*’ (27 January 2022): <https://www.bbc.co.uk/programmes/m0013rcx> [accessed 27 May 2022]

146 Letter from Lord Patel, Chair of the Science and Technology Committee, to the Rt Hon. Alok Sharma MP, COP26 President (15 October 2021): <https://committees.parliament.uk/publications/7506/documents/79045/default/>

77. The Committee began an inquiry into delivering a UK science and technology strategy in February 2022.¹⁴⁷ It is exploring the Government’s science and technology policy, including its ambition for the UK to become a “science superpower” by 2030. The report is expected in summer 2022.

147 Science and Technology Committee, ‘Delivering a UK science and technology strategy’: <https://committees.parliament.uk/work/6522/delivering-a-uk-science-and-technology-strategy/>

CHAPTER 3: SPECIAL INQUIRY COMMITTEES

Introduction

78. The expansion of special inquiry committee activity in 2012 followed a recommendation by this Committee and the introduction of post-legislative scrutiny.¹⁴⁸ A key driver for this change was to enable more members of the House to participate in committee work, as special inquiries typically last for about a year, in contrast to sessional committees. Ten years later, special inquiry committees have become a distinctive feature of House of Lords scrutiny.

Adult Social Care Committee

79. The Adult Social Care Committee was appointed in January 2022 to consider the planning for, and delivery of, adult social care services in England.¹⁴⁹
80. By the end of the 2021–22 session, the Committee had held two private seminars and six public evidence sessions. The Committee had heard from witnesses, including officials from the Department for Health and Social Care, other organisations undertaking work on adult social care, such as the All-Party Parliamentary Group on Adult Social Care and the Archbishops' Commission on Reimagining Care, as well as two panels of experts by experience—individuals drawing on adult social care and unpaid carers.
81. The Committee hopes to ensure that the voices of those who draw on adult social care, and unpaid carers, are heard throughout its programme of oral evidence, as well as through outreach and engagement activities. The Committee intends to use outreach and engagement activities to engage with diverse groups and communities, and to do so through an outreach approach—where the Committee goes out to visit people with lived experience, rather than just inviting them to come to the Committee.
82. The Committee has issued a call for evidence,¹⁵⁰ with a particular focus on hearing the views of experts by experience and people with different backgrounds, views and experiences.

Children and Families Act 2014 Committee

83. The Committee was appointed in January 2022 with a remit to consider the Children and Families Act 2014 and report by the end of November 2022.¹⁵¹
84. The Act is wide-ranging and cuts across the work of several government departments. Policy areas covered include adoption, family justice, special educational needs and disabilities, childcare, child welfare, and flexible working and shared parental leave. Apart from Part 3—on special educational needs and disabilities—the Committee's inquiry is the first detailed post-legislative scrutiny it has received.

148 Liaison Committee, *Review of Select Committee Activity and Proposals for New Committee Activity* (3rd Report, Session 2010–12, HL Paper 279)

149 HL Deb, 19 January 2022, [col 1666](#) and Adult Social Care Committee, 'Adult Social Care Committee': <https://committees.parliament.uk/committee/580/adult-social-care-committee/>

150 Adult Social Care Committee, 'Adult Social Care Committee publishes call for evidence': <https://committees.parliament.uk/committee/580/adult-social-care-committee/news/165263/adult-social-care-committee-publishes-call-for-evidence/>

151 HL Debate, 19 January 2022, [col 1666](#) and Children and Families Act 2014 Committee, 'Children and Families Act 2014 Committee': <https://committees.parliament.uk/committee/581/children-and-families-act-2014-committee/>

85. By the end of the 2021–22 session the Committee had held eight public evidence sessions on adoption and family justice. Witnesses included civil servants from the Department for Education and Ministry of Justice, academics, lawyers, and an adoptive father who produces blogs and podcasts on adoption. The Committee also received more than 100 written evidence submissions, including a post-legislative scrutiny memorandum. The Chair wrote to the Government with a series of detailed follow-up questions, to which the Government responded.¹⁵²
86. The Committee plans to continue taking oral evidence until September, including conducting a programme of visits and public engagement events in different parts of the country to hear from those whose lives have been directly affected by the Act’s reforms. The final evidence session is expected to be with ministers from the Department for Education, the Ministry of Justice, and the Department for Business, Energy and Industrial Strategy.

Common Frameworks Committee

87. Common frameworks are informal agreements by means of which the UK Government and the devolved Governments are seeking to ensure coordination in the regulation of the UK’s internal market post-Brexit.
88. The Common Frameworks Scrutiny Committee was appointed in September 2020 to “scrutinise and consider matters relating to common frameworks.” until the end of 2019–21 parliamentary session.¹⁵³ Following slippage in the Government’s timetable for agreeing common frameworks, and in response to representations from the Committee’s Chair, Baroness Andrews, the Liaison Committee recommended that the Common Frameworks Scrutiny Committee be extended to complete its work by the end of 2021.¹⁵⁴ A second extension to the end of July 2022 was agreed in October 2021.¹⁵⁵
89. The Committee published its first report in March 2021¹⁵⁶ and the Government’s response was received in May 2021.¹⁵⁷ The Committee welcomed the Government’s response as broadly positive and constructive but entered into correspondence on matters requiring further clarity. These included the intersections between common frameworks and the Protocol on Ireland/ Northern Ireland, the lack of stakeholder consultation on the

152 Letter from Baroness Tyler of Enfield, Chair of the Select Committee on the Children and Families Act 2014, to the Rt Hon. Nadhim Zahawi MP, Secretary of State for Education (21 March 2022): <https://committees.parliament.uk/publications/22335/documents/165150/default/> and Letter from Will Quince MP, Parliamentary Under-Secretary of State for Children and Families, to Baroness Tyler of Enfield, Chair of the Select Committee on the Children and Families Act 2014 (19 April 2022): <https://committees.parliament.uk/publications/22336/documents/165152/default/>

153 HL Deb, 17 September 2020, [cols 1401–1402](#) and Common Frameworks Scrutiny Committee, ‘Common Frameworks Scrutiny Committee’: <https://committees.parliament.uk/committee/474/common-frameworks-scrutiny-committee/>

154 Liaison Committee, *Review of the Common Frameworks Scrutiny Committee* (9th Report, Session 2019–21, HL Paper 241)

155 Letter from Lord Gardiner of Kimble, the Senior Deputy Speaker and Chair of the Liaison Committee, to Baroness Andrews, Chair of the Common Frameworks Committee (13 October 2021): <https://committees.parliament.uk/publications/21833/documents/162699/default/>

156 Common Frameworks Scrutiny Committee, *Common frameworks: building a cooperative Union* (1st Report, Session 2019–21, HL Paper 115)

157 Cabinet Office, ‘Government response to the House of Lords Common Frameworks Scrutiny Committee report: ‘Common Frameworks: building a cooperative Union’ (May 2021): <https://committees.parliament.uk/publications/6175/documents/68906/default/> [accessed 30 May 2022]

common frameworks programme and the timetable for the publication of the outstanding common frameworks.¹⁵⁸

90. Following the publication of its first report, the Committee scrutinised and sent recommendations to the Government on 19 provisional common frameworks. This included analysis of the relationship between common frameworks and wider related matters such as the UK Internal Market Act 2020, the Protocol on Ireland/Northern Ireland, intergovernmental relations, and the Subsidy Control Bill. The Committee has held 14 oral evidence sessions and received 11 written evidence submissions. The Committee expects to publish a further and final report in July 2022.

COVID-19 Committee

91. In April 2021, the COVID-19 Committee began a short inquiry into the long-term impact of the pandemic on parents and families. During the inquiry, the Committee heard evidence from a range of charities, representing single parents, working parents, women, and families experiencing poverty, disadvantage, and social isolation. In June 2021, the Committee sent a letter to the then Minister for Children and Families, Vicky Ford MP, outlining its concerns about the impact of the pandemic on children and families.¹⁵⁹
92. In May 2021 the Committee launched an inquiry to explore the long-term impact of the pandemic on larger towns and smaller cities. The inquiry focussed on the impact on housing and green spaces, the changing nature of employment, public transport, and the resulting impact on inequality. The Committee heard evidence from local leaders representing the whole of the UK, including the leaders of Bradford Council, Great Yarmouth Council, Highland Council, Luton Council, Swansea Council, Winchester Council and the Mayor of Lisburn and Castlereagh.¹⁶⁰ In December 2021, the Committee published its report, setting out a range of recommendations to empower local authority leaders, regenerate towns and cities, and putting tackling inequalities at the heart of this regeneration.¹⁶¹
93. Before the Committee came to an end in November 2021, it decided to bring together all its work to produce a legacy report. The legacy report emphasised the importance of improving resilience and preparedness, for a volatile and uncertain future, in light of the lessons learnt from the COVID-19 pandemic. The Committee recommended that there was a need to reset the State to learn lessons from the pandemic, respond to changes created by the pandemic, and respond to the broader changes of the era, which have been accelerated and accentuated by the pandemic. The Committee went on to suggest that there should be three elements to the resetting of the State—a new approach to resilience, a new emphasis on governing for the long-term, and a new focus on wellbeing. The legacy report, published in March 2022,

158 Letter from Baroness Andrews, Chair of the Common Frameworks Scrutiny Committee, to Chloe Smith MP, Minister of State for the Constitution and Devolution, (17 June 2021): <https://committees.parliament.uk/publications/6346/documents/69611/default/>

159 Letter from Baroness Lane-Fox of Soho, Chair of the Covid-19 Committee to Vicky Ford MP, Minister for Children and Families (23 June 2021): <https://committees.parliament.uk/publications/6384/documents/70025/default/>

160 COVID-19 Committee, ‘Oral evidence transcripts: The long-term impact of the pandemic on towns and cities’: <https://committees.parliament.uk/work/1229/the-longterm-impact-of-the-pandemic-on-towns-and-cities/publications/oral-evidence/>

161 COVID-19 Committee, *Towns and Cities: Local Power is the Path to Recovery* (2nd Report, Session 2020–21, HL Paper 115)

also summarised the main findings from the Committee’s three previous inquiries on digital technology, children and families, and towns and cities.¹⁶²

Fraud Act 2006 and Digital Fraud Committee

94. The Fraud Act 2006 and Digital Fraud Committee was appointed on 19 January 2022 to “consider the Fraud Act 2006 and digital fraud, and to make recommendations”.¹⁶³
95. Fraud is the most commonly experienced crime in England and Wales today, accounting for approximately 42% of all crime against individuals.¹⁶⁴ The latest figures from the City of London Police show that between 1 January 2021 and 1 January 2022 there were 416,414 reports of fraud totalling a loss of £2.4 billion. 86% of reports were from individuals, with the remaining 14% from businesses. 59% of reports were reported as cyber-enabled.¹⁶⁵ The COVID-19 pandemic has had a significant impact on instances of fraud. UK Finance found that “the pandemic environment has provided rich pickings for fraudsters, in the form of new-to-digital consumers, heightened vulnerabilities and anxieties, as well as new channels to exploit.”¹⁶⁶ A core theme for the Committee is investigating what policies could be implemented to disrupt the digitised business model of fraudsters targeting UK consumers.
96. The Committee published its call for evidence on 8 March 2022.¹⁶⁷ The Committee started taking oral evidence under the thematic heading of ‘disrupting the business model of fraud’. The evidence gathering started with a session with Euan Neil, Head of Fraud Pursue and Law Enforcement, and Duncan Tessier, Economic Crime Director, both from the Home Office, and Alice Adamson, Director for Victims and Vulnerability Policy in the Ministry of Justice.¹⁶⁸ The Committee held a background evidence session with representatives from UK Finance, Cifas and the Fraud Advisory Panel.¹⁶⁹ The Committee also spoke with Lord Agnew of Oulton about his recent ministerial experience in relation to COVID-19 bounce-back loan schemes.¹⁷⁰ The inquiry then transferred into evidence sessions relating to different sectors. Sessions were held with representatives of the financial and telecommunications sectors and experts on online regulation. The Committee also heard from experts in cybersecurity as well as David

162 COVID-19 Committee, *Living in a COVID World: A Long-term Approach to Resilience and Wellbeing* (3rd Report, Session 2021–22, HL Paper 117)

163 HL Deb, 19 January 2022, [col 1667](#)

164 Home Office, ‘Beating Crime Plan’ (July 2021): <https://www.gov.uk/government/publications/beating-crime-plan/beating-crime-plan#fn:16> [accessed 10 January 2022]

165 City of London Police, ‘NFIB fraud and cybercrime dashboard—13 months of data’: <https://colpolice.maps.arcgis.com/apps/dashboards/index.html#/60499304565045b0bce05d2ca7e1e56c> [accessed 11 January 2022]

166 UK Finance, Fraud—the facts 2021 (2021): <https://www.ukfinance.org.uk/system/files/Fraud%20The%20Facts%202021-%20FINAL.pdf> [accessed 14 December 2021]

167 Fraud Act 2006 and Digital Fraud Committee, ‘Fraud Act 2006 Committee publishes call for evidence’ (8 March 2022): <https://committees.parliament.uk/work/6521/fraud-act-2006-and-digital-fraud-committee/news/161575/fraud-act-2006-committee-publishes-call-for-evidence/> [accessed 30 May 2022]

168 Oral evidence taken before the Fraud Act 2006 and Digital Fraud Committee, 24 February 2022 (Session 2021–22), [QQ 1–12](#)

169 Oral evidence taken before the Fraud Act 2006 and Digital Fraud Committee, 3 March 2022 (Session 2021–22), [QQ 13–22](#)

170 Oral evidence taken before the Fraud Act 2006 and Digital Fraud Committee, 3 March 2022 (Session 2021–22), [QQ 23–33](#)

Pitt, CEO of Pay.uk,¹⁷¹ and other experts in payment services and the use of cryptocurrency in fraud. The final session held by the Committee before the 2022 Easter recess covered the policing response to Fraud.

97. On 28 February 2022, the Chair, Baroness Morgan of Cotes, spoke to BBC Radio 4's 'Today in Parliament' programme, providing an overview of the inquiry.¹⁷² On 24 March 2022, Baroness Morgan also spoke to the House of Lords Podcast about the need for the Committee to hear evidence from those who had been victims of crime.¹⁷³ On 7 April 2022, the Committee spoke to the comedian, Joe Lycett, about his counter-fraud TV show, 'Joe Lycett's Got Your Back'.¹⁷⁴ The evidence session gained significant media coverage with 11,700 interactions with the Committee's publicity on Twitter.
98. The Fraud Act 2006 and Digital Fraud Committee is continuing its investigation by focussing on the post-legislative scrutiny nature of its inquiry. The Members will be placing the Fraud Act 2006, and other relevant legislation, under the microscope to ensure that fraud of the future is mitigated by thorough judicial processes. The inquiry will conclude with sessions with statutory, policing, and regulatory bodies. The last session will be held on 30 June with Ministerial appearances from the Home Office and Ministry of Justice.

Land Use in England Committee

99. The Land Use in England Committee was appointed on 26 January 2022.¹⁷⁵ By the end of the 2021–22 session the Committee had held nine oral evidence sessions, with witnesses including officials from the Department of Environment, Food and Rural Affairs; the Environment Agency; the National Farmers' Union; the Forestry Commission; and RSPB.¹⁷⁶ The Committee also held a roundtable discussion with practitioners involved in land use, including farmers, foresters, and nature specialists.
100. The Committee published a call for evidence on 16 March¹⁷⁷, which closed on 26 April. Themes covered included current and future challenges for land use; the key drivers of change in land use; farming and environmental land management schemes; nature and biodiversity; and the land use planning system.
101. The Committee intends to undertake further evidence gathering with key organisations and individuals involved with land use in England.

171 Oral evidence taken before the Fraud Act 2006 and Digital Fraud Committee, 24 March 2022 (Session 2021–22), [QQ 70–79](#)

172 BBC, 'Today in Parliament' (28 February 2022): <https://www.bbc.co.uk/programmes/m0014x80> [accessed 31 May 2022]

173 UK Parliament, 'House of Lords Podcast: Women in Parliament, equality online, famous faces and tackling fraud' (24 March 2022): <https://www.parliament.uk/business/lords/house-of-lords-podcast/women-in-parliament/> [accessed 30 May 2022]

174 Channel Four, 'Joe Lycett's Got Your Back': <https://www.channel4.com/programmes/joe-lycetts-got-your-back> [accessed 14 April 2022]

175 HL Deb, 19 January 2022, [cols 1667–1668](#) and Land Use in England Committee, 'Land Use in England Committee': <https://committees.parliament.uk/committee/583/land-use-in-england-committee/>

176 Land Use in England Committee, 'Oral evidence transcripts: Land Use in England Committee': <https://committees.parliament.uk/committee/583/land-use-in-england-committee/publications/oral-evidence/>

177 Land Use in England Committee, 'How should we respond to increasing demands on land?': <https://committees.parliament.uk/committee/583/land-use-in-england-committee/news/161808/how-should-we-respond-to-increasing-demands-on-land/>

National Plan for Sport and Recreation Committee

102. The Committee had been appointed on 15 October 2020 “to consider the effectiveness of current sport and recreation policies and initiatives, and the case for a national plan for sport and recreation”.¹⁷⁸ The Committee took evidence from December 2020 until July 2021, and published its report, *A national plan for sport, health and wellbeing* on 10 December 2021.¹⁷⁹
103. The Committee heard from 76 witnesses in public evidence sessions and received 163 written submissions. It also held a series of virtual roundtable sessions with grassroots organisations, schoolteachers, school students and disabled young adults, to hear from those organising and participating in sport and physical activity. Members also held an informative private meeting with the CEOs of national governing bodies and sector experts.
104. Early in the inquiry, the Committee moved from an emphasis on sport to consider a wider range of themes related to physical activity, including health, wellbeing, and active lifestyles. The report’s overarching recommendation was that a national plan for sport, health and wellbeing should be implemented and that it should cover a cross-section of policy areas including, but not limited to, health, planning, transport, environment, and education. The report also called for a new ministerial role responsible for sport, health, and wellbeing to sit in the Department for Health and Social Care (DHSC) and for sport policy to move from the Department for Digital, Culture, Media and Sport (DCMS) to DHSC. The report set out principles that should underpin the national plan: physical literacy, welcoming and inclusive participation, tackling health inequalities, behaviour change, and sport for development.
105. The report considered youth sport and recommended that physical education (PE) was made a core subject on the national curriculum. The inquiry also looked at duty of care and safeguarding in sport and physical activity, and called on the Government to implement the outstanding recommendations made in the *Independent Review on Duty of Care in Sport*, prioritising the establishment of an independent sports ombudsman.¹⁸⁰ The report also recommended the introduction of mandatory reporting in sport and recreation settings.
106. Following publication, the Committee’s report attracted positive press coverage, including articles published in *The Times*¹⁸¹, *The Guardian*¹⁸² and *The Daily Telegraph*.¹⁸³ It also received broadcast coverage on BBC Radio 4’s *The Today* programme and on the Sky News children’s news programme,

178 HL Deb, 15 October 2020, [col 1205](#)

179 National Plan for Sport and Recreation Committee, *A national plan for sport, health and wellbeing*, (Report of Session 2021–22, HL Paper 113)

180 Baroness Tanni Grey-Thompson DBE, DL, *Duty of Care in Sport: Independent Report to Government* (April 2017): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/610130/Duty_of_Care_Review_-_April_2017_2.pdf [accessed 12 May 2022]

181 ‘Sport needs total overhaul, says House of Lords report’ *The Times* (10 December 2021): <https://www.thetimes.co.uk/article/sport-needs-total-overhaul-says-house-of-lords-report-83wjr7jl3> [accessed 29 June 2022]

182 ‘Lords report calls for new ministerial role in ‘national plan’ to tackle inactivity’ *The Guardian* (10 December 2021): <https://www.theguardian.com/sport/2021/dec/10/lords-report-calls-for-new-ministerial-role-national-plan-physical-inactivity> [accessed 29 June 2022]

183 ‘Call for national plan and new ministry to tackle ‘generational crisis’ of inactivity’ *The Telegraph* (9 December 2021): <https://www.telegraph.co.uk/news/2021/12/09/warning-generational-crisis-inactivity-teenage-boys-hit-hardest/> [accessed 29 June 2022]

*FYI*¹⁸⁴, which featured the work of the Committee and the House of Lords. The infographic used on the Committee’s Twitter account received over 5,300 views.¹⁸⁵

107. The Government published its response to the report on 11 February 2022.¹⁸⁶ The response stated that the Government “agrees with the Committee’s overarching recommendation on a need for a new ambitious national plan for sport” and that “sport, health and wellbeing are closely linked and that any Government strategy should reflect those links.” The forthcoming revised sport strategy, to be published by DCMS in 2022, presents a further opportunity for the Government to consider the recommendations made by the Committee.

Risk Assessment and Risk Planning Committee

108. The Risk Assessment and Risk Planning Committee published its report *Preparing for Extreme Risks: Building a Resilient Society* on 3 December 2021.¹⁸⁷ The Committee received the Government response on 17 March 2022.¹⁸⁸
109. The Cabinet Office’s response was overwhelmingly positive with regards to the Committee’s recommendations and conclusions. All but two of the recommendations were accepted either in full or in principle. The Government rejected two recommendations relating to the mandatory declaration of near-miss events by those running elements of the UK’s Critical National Infrastructure and the Committee’s assertion that volunteers used by the Government as part of their voluntary resilience force should be remunerated for their time.
110. The former Chair of the Committee, Lord Arbuthnot of Edrom and former Committee Member, Lord Browne of Ladyton, met the Minister for the Cabinet Office, Rt Hon. Michael Ellis QC, to discuss the report and ongoing engagement on the issue of resilience. The meeting reflected the constructive cooperation sustained throughout the inquiry between the Committee and the Cabinet Office. The Minister reinforced his thanks for the Committee’s work and agreed to ongoing dialogue with ex-Members of the Committee in a personal capacity.

Youth Unemployment Committee

111. During the 2021–22 session the Youth Unemployment Committee concluded its inquiry and published its report, *Skills for Every Young Person*.¹⁸⁹ Among

184 FYI—Sky Kids Weekly News Show (@FYI_SkyTV), tweet on 10 December 2021: https://twitter.com/FYI_SkyTV/status/1469349958205779976?ext=HHwWkMC52ZCAI-QoAAAA [accessed 29 June 2022]

185 Lords Sport and Recreation Committee (@HLSportandRec), tweet on 10 December 2021: <https://twitter.com/HLSportandRec/status/1469320633758760967> [accessed 29 June 2022]

186 Department for Digital, Culture, Media and Sport, *Government response to the House of Lords National Plan for Sport and Recreation Committee Report on A national plan for sport, health and wellbeing*, CP615 (February 2022), p 4: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1054351/E02718678_CP_615_Gov_Res_HoL_Nat_Plan_Bookmarked.pdf [accessed 12 May 2022]

187 Risk Assessment and Risk Planning Committee, *Preparing for Extreme Risks: Building a Resilient Society* (Report of Session 2021–22, HL Paper 110)

188 Cabinet Office, Government response to Preparing for Extreme Risks: Building a Resilient Society, Cm 641, 17 March 2022: <https://committees.parliament.uk/publications/9365/documents/160862/default/> [accessed 12 May 2022]

189 Youth Unemployment Committee, *Skills for Every Young Person* (Report of Session 2021–22, HL Paper 98)

other recommendations, the report called for a national plan to tackle skills gaps; a new system of funding for further education; reform of apprenticeship funding to support young people; and the creation of an independent Young People’s Commissioner for youth aged 16 to 24.

112. The report received coverage in national outlets including the *Independent*¹⁹⁰ and *Financial Times*¹⁹¹ as well as in specialist journals including *FE Week*¹⁹² and *FE News*.¹⁹³ The report also received a positive response from external organisations including the Learning and Work Institute,¹⁹⁴ the Association of Colleges,¹⁹⁵ and the education charity voice21.¹⁹⁶
113. The Committee’s report was the culmination of an inquiry which included 23 oral evidence sessions and for which 82 written submissions were received. The Committee also held four virtual “round table” events with young people from different regions of the country including Lancashire, the East Midlands, and Greater London, with the latter having a particular focus on young people from ethnic minority backgrounds. The Committee received particular attention for its evidence session with the then Education Recovery Commissioner Sir Kevan Collins, which received coverage in national newspapers including the *Guardian*¹⁹⁷ and *The Times*.¹⁹⁸
114. As well as Sir Kevan, witnesses to the Committee included the then Minister of State for Schools Rt Hon. Nick Gibb MP,¹⁹⁹ the Minister for Employment Mims Davies MP,²⁰⁰ and Minister for Apprenticeships and Skills Gillian Keegan MP.²⁰¹ The Committee also heard from a range of experts working in fields helping to tackle youth unemployment, including youth charities, schools and business groups.
115. The Committee’s work was cited in the House of Lords chamber during passage of the Skills and Post-16 Education Act.²⁰² A response from the

190 ‘Government urged to appoint minister for youth employment as school-leavers face jobs ‘crisis’, *Independent* (3 December 2021): <https://www.independent.co.uk/news/education/education-news/youth-employment-minister-jobs-crisis-b1968557.html> [accessed 29 June 2022]

191 ‘UK’s Kickstart jobs scheme underdelivers, says audit office’ *The Financial Times* (26 November 2021): <https://www.ft.com/content/d33d6a8a-9c96-4e83-a4bd-1616d38666c0> [accessed 29 June 2022]

192 ‘Lords Committee urges levy spending focus on the young and on lower level courses’, *FE Week* (26 November 2021): <https://feweek.co.uk/lords-committee-urges-levy-spending-focus-on-the-young-and-on-lower-level-courses/> [accessed 29 June 2022]

193 ‘Urgent action needed to tackle and prevent youth unemployment’, *FE News* (26 November 2021): <https://www.fenews.co.uk/skills/youth-unemployment-committee-to-hear-evidence-from-the-office-for-national-statistics/> [accessed 29 June 2022]

194 *Ibid.*

195 Association of Colleges, ‘Skills for every young person’—AoC responds to HoL Youth Unemployment Committee report’ (26 November 2021): <https://www.aoc.co.uk/news/skills-every-young-person-aoc-responds-hol-youth-unemployment-committee-report> [accessed 27 April 2022]

196 Voice 21, ‘Statement in response to House of Lords Youth Unemployment Committee Report’ (26 November 2021): <https://voice21.org/statement-in-response-to-house-of-lords-youth-unemployment-committee-report/> [accessed 27 April 2022]

197 ‘Give struggling pupils four years to retake GCSEs, says catch-up tsar’, *The Guardian* (18 May 2021): <https://www.theguardian.com/education/2021/may/18/give-struggling-pupils-four-years-retake-gcses-catch-up-tsar> [accessed 29 June 2022]

198 ‘Online parents’ evenings are given top marks’, *The Times* (19 May 2021): <https://www.thetimes.co.uk/article/online-parents-evenings-are-given-top-marks-ggzsgl0q3> [accessed 29 June 2022]

199 Oral evidence taken before the Youth Unemployment Committee, 13 July 2021 (Session 2021–22) [QQ 208–218](#)

200 Oral evidence taken before the Youth Unemployment Committee, 20 July 2021 (Session 2021–22) [QQ 228–243](#)

201 Oral evidence taken before the Youth Unemployment Committee, 13 July 2021 (Session 2021–22) [QQ 219–227](#)

202 For example, HL Deb, 19 July 2021, [col 33–34](#)

Government was published on 17 March 2022,²⁰³ while the Office for National Statistics also issued a response in January 2022.²⁰⁴

Equality Act 2010 and Disability Committee: Follow-up inquiry

116. The Select Committee on the Equality Act 2010 and Disability was a post-legislative scrutiny committee.²⁰⁵ The Committee was appointed for one year in the 2015–2016 session “to consider and report on the impact on people with disabilities of the Equality Act 2010”.²⁰⁶ The Committee published its report in March 2016, to which the Government responded in July 2016.²⁰⁷ The report was debated on 6 September 2016.²⁰⁸
117. The Chair of the Liaison Committee followed up the Committee’s recommendations in a letter dated 6 November 2017²⁰⁹ to which the then Minister for Women and Equalities, Justine Greening MP, responded on 21 December 2017.²¹⁰ On 11 March 2020, the former Chair of the Select Committee on the Equality Act 2010 and Disability, Baroness Deech, wrote to the Senior Deputy Speaker to make the case for follow-up. The Liaison Committee considered the proposal and agreed that follow-up work would commence in June 2021.²¹¹
118. On 17 June 2021, four members of the former Select Committee on the Equality Act 2010 and Disability joined members of the Liaison Committee to hear evidence from 10 witnesses over four sessions.²¹² Two written evidence submissions were received. *The Equality Act 2010: the impact on disabled people Follow-up report* was published on 9 September 2021.²¹³ It focused on three selected key themes: oversight and enforcement, reasonable adjustments and

203 HM Government, Skills for every young person: Government Response, 17 March 2022: <https://committees.parliament.uk/publications/9336/documents/160637/default/> [accessed 27 April 2022]

204 UK Statistics Authority, ‘Office for National Statistics response to the Lords Youth Unemployment Committee report on “skills for every young person”’, (24 January 2022): <https://uksa.statisticsauthority.gov.uk/submission/office-for-national-statistics-response-to-youth-unemployment-committee-report-skills-for-every-young-person/> [accessed 27 April 2022]

205 Post-legislative scrutiny was recommended by the Constitution Committee in their 2003 report: Constitution Committee, *Parliament and the Legislative Process* (14th Report, Session 2003–04, HL Paper 173-1). The House of Lords appointed its first post-legislative scrutiny committee in session 2010–12, and has subsequently usually appointed at least one such committee each year.

206 Liaison Committee, *Review of select committee activity and proposals for new committee activity* (2nd Report, Session 2014–15, HL Paper 127), para 39

207 Department for Education, *Government Response to the House of Lords Select Committee Report on The Equality Act 2010: The impact on disabled people*, Cm 9283 (July 2016): <https://old.parliament.uk/documents/lords-committees/equality-act/Govt-Response-to-HoL-SC-Report-on-the-EA2010.pdf>

208 HL Deb, 6 September 2016, cols 964–1014

209 Letter from The Rt Hon. the Lord McFall of Alcluith, the Chair of the Liaison Committee to The Rt Hon Justine Greening MP, the Minister for Women and Equalities (November 2017): [https://old.parliament.uk/documents/lords-committees/liaison/Letter-6-11-2017-to-Justine-Greening-\(Select-Committee-on-Equality-Act-2010-and-Disability\).pdf](https://old.parliament.uk/documents/lords-committees/liaison/Letter-6-11-2017-to-Justine-Greening-(Select-Committee-on-Equality-Act-2010-and-Disability).pdf)

210 Letter from The Rt Hon Justine Greening MP the Minister for Women and Equalities to The Rt Hon. the Lord McFall of Alcluith, the Chair of the Liaison Committee (December 2017): <https://old.parliament.uk/documents/lords-committees/liaison/Letter-from-Justine-Greening-MP-to-Lord-McFall-on-the-Select-Committee-on-the-Equality-Act-and-Disability.pdf>

211 Liaison Committee, ‘Decisions document’ (14 September 2020): <https://committees.parliament.uk/publications/3114/documents/29142/default/> [accessed 15 May 2022]

212 Liaison Committee, *The Equality Act 2010: the impact on disabled people Follow-up report* (2nd report of session 2021–2022, HL Paper 60) see appendix 2

213 Liaison Committee, *The Equality Act 2010: the impact on disabled people Follow-up report* (2nd report of session 2021–2022, HL Paper 60)

access to justice. The inquiry was the fourth to be conducted under the new follow-up procedure.²¹⁴

Citizenship and Civic Engagement Committee: Follow-up inquiry

119. The Citizenship and Civic Engagement Committee was appointed on 29 June 2017 “to consider citizenship and civic engagement”.²¹⁵ Its report was published on 18 April 2018. The Government response was received on 28 June 2018 and the report was debated on 19 November 2018.²¹⁶
120. Lord Hodgson of Astley Abbots, who chaired the Committee, wrote to the late Rt Hon. James Brokenshire MP, the then Secretary of State for Housing, Communities and Local Government on 3 April 2019 to follow-up on the report’s recommendations. On 31 January 2020, a further letter was written by the then Chair of the Liaison Committee, The Rt Hon. The Lord McFall of Alcluith, to Mr Brokenshire’s successor.²¹⁷ Lord Greenhalgh, the then Minister of State for Building Safety and Communities, responded on 28 April 2020.²¹⁸
121. Lord Hodgson wrote to the Chair of the Liaison Committee on 20 January 2021 making the case for follow-up.²¹⁹ The Liaison Committee considered the proposal and agreed that follow-up work would commence in February 2022.²²⁰ The oral evidence sessions took place on 10 February 2022 when four members of the former Select Committee on Citizenship and Civic Engagement joined three members of the Liaison Committee to hear evidence from eight witnesses over three sessions.²²¹ Five written evidence submissions were received.²²²
122. *The Ties that Bind: Citizenship and Civic Engagement in the 21st Century Follow-up report* was published on 29 March 2022.²²³ It focused on cross-Government coordination and strategy, citizenship education and the citizenship test

214 Liaison Committee, ‘Government strategy and increased FCA powers needed to prevent financial exclusion’: <https://committees.parliament.uk/committee/187/liaison-committee-lords/news/154766/government-strategy-and-increased-fca-powers-needed-to-prevent-financial-exclusion/>

215 Liaison Committee, *New investigative committees in the 2017–18 Session* (2nd Report, Session 2016–2017, HL Paper 144)

216 HL Deb, 19 November 2018, [cols 67–112](#)

217 Letter from The Rt Hon. the Lord McFall of Alcluith, Chair of the Liaison Committee to The Rt Hon. Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government (31 January 2020): <https://committees.parliament.uk/publications/64/documents/706/default/>

218 Letter from Lord Greenhalgh, Minister of State for Building Safety and Communities to The Rt Hon. the Lord McFall of Alcluith, Chair of the Liaison Committee (28 April 2020): <https://committees.parliament.uk/publications/4133/documents/40824/default/>

219 Letter from Lord Hodgson of Astley Abbots to The Rt Hon. the Lord McFall of Alcluith, Senior Deputy Speaker and Chair of the Liaison Committee, regarding follow-up to the Select Committee on Citizenship and Civic Engagement (20 January 2021)

220 Liaison Committee, ‘Decisions document’ (15 November 2021): <https://committees.parliament.uk/publications/8015/documents/82664/default/>

221 Liaison Committee, *The Ties that Bind: Citizenship and Civic Engagement in the 21st Century Follow-up report* (5th Report, Session 2021–2022, HL Paper 179) see appendix 1

222 Liaison Committee, *The Ties that Bind: Citizenship and Civic Engagement in the 21st Century Follow-up report* (5th Report, Session 2021–2022, HL Paper 179) see appendix 2

223 Liaison Committee, *The Ties that Bind: Citizenship and Civic Engagement in the 21st Century Follow-up report* (5th Report, Session 2021–2022, HL Paper 179)

(Life in the UK). The inquiry was the fifth follow-up inquiry conducted under the new procedure.²²⁴

Licensing Act 2003 Committee: Follow-up inquiry

123. This was the sixth follow-up inquiry of the Liaison Committee. The Select Committee on the Licensing Act 2003 was a post-legislative scrutiny committee appointed on 25 May 2016 to “consider and report on the Licensing Act 2003”.²²⁵ The Committee report was published on 4 April 2017²²⁶ and the Government response was received on 6 November 2017.²²⁷ The report was subsequently debated in the House on 20 December 2017.²²⁸
124. The former Chair of the Liaison Committee, the Rt Hon. the Lord McFall of Alcluith, followed up the progress made on the Committee’s recommendations in January 2019.²²⁹ The Rt Hon. Kit Malthouse MP, then Minister of State for Crime, Policing and the Fire Service, responded on 5 November 2019 and provided an update.²³⁰ On 9 April 2020, Baroness McIntosh of Pickering, the former Chair of the Select Committee on the Licensing Act 2003, wrote to Lord McFall to put forward the case for a follow-up inquiry. The Liaison Committee commenced follow-up work in March 2022 holding three evidence sessions on 10 March 2022 with nine witnesses. Four former members of the Select Committee on the Licensing Act 2003 joined the Liaison Committee to hear the evidence given. The Liaison Committee also received written evidence from several of the witnesses. The report is anticipated to be published in June 2022.

224 Liaison Committee, ‘Action needed to improve citizenship education and civic engagement opportunities Committee says’: <https://committees.parliament.uk/committee/187/liaison-committee-lords/news/165146/action-needed-to-improve-citizenship-education-and-civic-engagement-opportunities-committee-says/> [accessed 30 May 2022]

225 Liaison Committee, *New investigative committee activity* (3rd Report, Session 2015–16, HL Paper 113) paragraphs 15–19 and HL Deb, 25 May 2016, col 406

226 Select Committee on the Licensing Act 2003, *The Licensing Act 2003: post-legislative scrutiny* (Report of Session 2016–17, HL Paper 146)

227 Home Office, *The Government response to the report from the House of Lords Select Committee on the Licensing Act 2003 Session 2016–7 HL Paper 146: The Licensing Act 2003: post-legislative scrutiny* (November 2017): https://old.parliament.uk/documents/lords-committees/Licensing-Act-2003/Govt_Response_Licensing_Act.pdf [accessed 15 March 2022]

228 HL Deb, 20 December 2017, cols 2145–2177

229 Letter from the Rt Hon. the Lord McFall of Alcluith, Chair of the Liaison Committee, to Victoria Atkins MP, Parliamentary Under Secretary of State for Crime, Safeguarding and Vulnerability (31 January 2019): <https://old.parliament.uk/documents/lords-committees/liaison/Letter-from-Lord-McFall-of-Alcluith-on-the-Select-Committee-on-the-Licensing-Act-2003.pdf>

230 Letter from the Rt Hon. Kit Malthouse MP, Minister of State for Crime, Policing and the Fire Service, to the Rt Hon. the Lord McFall, Chair of the Liaison Committee (5 November 2019): <https://committees.parliament.uk/publications/61/documents/703/default/>

CHAPTER 4: SECONDARY LEGISLATION COMMITTEES

Delegated Powers and Regulatory Reform Committee

125. During the reporting year (2021/22 financial year), the Delegated Powers and Regulatory Reform Committee (DPRRC) met 23 times and published 24 reports on bills. It considered 55 bills (29 Government bills and 26 private members' bills) and reported on three sets of amendments. It also reported on one draft Legislative Reform Order, the draft Legislative Reform (Renewal of National Radio Multiplex Licences) Order 2022.²³¹
126. In addition, in November 2021, the Committee published a thematic report, entitled *Democracy Denied? The urgent need to rebalance power between Parliament and the Executive*.²³² The focus of the report was the relationship between Parliament and the executive, and included a review of Committee reports since its inception in 1992. The Committee concluded that Parliament should consider, as a matter of urgency, how the balance of power between Parliament and the executive should be re-set, based on two fundamental principles: first, that primary legislation, and the powers conferred by it, should be drafted on the basis of the principles of parliamentary democracy, namely parliamentary sovereignty, the rule of law and the accountability of the executive to Parliament; and, second, that the threshold between primary and delegated legislation should be founded on the principle that the principal aspects of policy should be on the face of a bill and only its detailed implementation left to delegation. The report included revised guidance to departments, reflecting the findings of the report but also reiterating the Committee's historic concerns about skeleton provision²³³ and Henry VIII powers.²³⁴ In making its report, the DPRRC collaborated closely with the Secondary Legislation Scrutiny Committee (SLSC), which, on the same day as the publication of *Democracy Denied?*, published its report *Government by Diktat: A call to return power to Parliament*²³⁵ (see paragraph 137 below). In preparation for the parallel reports, the two Committees held joint evidence sessions with the following witnesses: first, in April 2021, Dame Elizabeth Gardiner, First Parliamentary Counsel and Permanent Secretary, Government in Parliament Group; Susanna McGibbon, Treasury Solicitor and Permanent Secretary, Government Legal Department, and Tamara Finkelstein, Permanent Secretary of the Department for Environment, Food and Rural Affairs and Head of the Civil Service Policy Profession,²³⁶ and, second, in May 2021, the Rt Hon. Jacob Rees-Mogg MP, then Lord President

231 Delegated Powers and Regulatory Reform Committee, *Draft Legislative Reform (Renewal of National Radio Multiplex Licences) Order 2022; Elections Bill; Down Syndrome Bill; Cultural Objects (Protection from Seizure) Bill; Motor Vehicles (Compulsory Insurance) Bill; Building Safety Bill; Government Response; Commercial Rent (Coronavirus) Bill; Government Response* (21st Report, Session 2021–22, HL Paper 168)

232 Delegated Powers and Regulatory Reform Committee, *Democracy Denied? The urgent need to rebalance power between Parliament and the Executive* (12th Report, Session 2021–22, HL Paper 106)

233 Where provision in a bill is so insubstantial that the real operation of the bill or parts of the bill would be entirely by the regulations or orders made under it.

234 A delegated power which enables a minister, by delegated legislation, to amend, repeal or otherwise alter the effect of an Act of Parliament.

235 Secondary Legislation Scrutiny Committee, *Government by Diktat: A call to return power to Parliament* (20th Report, Session 2021–22, HL Paper 105)

236 Oral evidence taken before the Secondary Legislation Scrutiny Committee and Delegated Powers and Regulatory Reform Committee, 20 April 2021 (Session 2021–22) [QQ 1–16](#)

of the Council and Leader of the House of Commons.²³⁷ The Committee also held a further evidence session with Dame Elizabeth in May 2021.²³⁸

127. Joshua Rozenberg, writing on the day of publication, described the two reports as being “of fundamental constitutional importance”.²³⁹ The Constitution Society highlighted the reports in their *Second Report from the United Kingdom Constitution Monitoring Group*.²⁴⁰ On 6 January 2022, Baroness Cavendish of Little Venice initiated a debate in the House of Lords, the focus of which was on the use of skeleton bills and associated delegated powers. Lady Cavendish said that the debate was guided by the Committees’ “two excellent reports”.²⁴¹ The Government responded to the DPRRC report on 24 January 2022. While a number of recommendations were not accepted, the Government agreed, amongst other things, that the principles of parliamentary democracy should be included in the Cabinet Office Guide to Making Legislation and that that Guide should be strengthened to reflect the Committee’s revised guidance to departments. The Committee, continuing its close collaboration with the SLSC, will undertake further work in the light of the Government response in the forthcoming session.
128. The DPRRC considers all bills except supply and consolidation bills. Where a bill contains no delegated powers or there is nothing in a bill to which the Committee wishes to draw the attention of the House, it will report briefly to that effect. Of the 29 Government bills considered during the reporting period, the Committee made recommendations on the following 16 bills: Professional Qualifications Bill, the Environment Bill, the Advanced Research and Invention Agency Bill, the Telecommunications (Security) Bill, the Charities Bill, the Police, Crime, Sentencing and Courts Bill, the Armed Forces Bill, the National Insurance Contributions Bill, the Health and Care Bill, the Subsidy Control Bill, the Nationality and Borders Bill, the Commercial Rent (Coronavirus) Bill, the Building Safety Bill, the Judicial Review and Courts Bill, the Elections Bill and the Economic Crime (Transparency and Enforcement) Bill. With regard to the Subsidy Control Bill, the Committee took the exceptional step of not only reporting on the Bill but also writing to Mr Rees-Mogg about the provision relating to financial stability directions which, it said, involved fundamental issues of government accountability and parliamentary scrutiny and, referring to recommendations in *Democracy Denied?*, was a stark example of a breach of the principles of parliamentary democracy.²⁴²
129. The Government is expected to provide a response to the Committee’s substantive reports before committee stage of the relevant bill. Where, because of tight legislative timescales, this is not possible, then the Committee’s

237 Oral evidence taken before the Delegated Powers and Regulatory Reform Committee and the Secondary Legislation Scrutiny Committee, 12 May 2021 (Session 2021–22) [QQ 1–24](#)

238 Oral evidence taken before the Delegated Powers and Regulatory Reform Committee and the Secondary Legislation Scrutiny Committee, 26 May 2021 (Session 2021–22) [QQ 1–10](#)

239 Joshua Rozenberg, ‘Government by diktat? Or democracy denied? Peers call for rebalance of powers’, *A Lawyer writes* (24 November 2021): <https://rozenberg.substack.com/p/government-by-diktat?s=r> [accessed 12 May 2022]

240 The Constitution Society, *The Constitution in Review Second Report from the United Kingdom Constitution Monitoring Group For period 1 July - 31 December 2021*: <https://consoc.org.uk/wp-content/uploads/2022/02/UK-Constitution-Monitoring-Group-Second-Report.pdf> [accessed 29 June 2022]

241 HL Deb, 6 January 2022, [cols 759–794](#)

242 Delegated Powers and Regulatory Reform Committee, *Subsidy Control Bill* (17th Report, Session 2021–22, HL Paper 140), para 2. Correspondence published in Delegated Powers and Regulatory Reform Committee, *Animals (Penalty Notices) Bill: Subsidy Control Bill: Government Response and Correspondence* (24th Report, Session 2021–22, HL Paper 184), pp 8 and 9

guidance to departments asks that the minister write to the Committee explaining the reasons for the delay and stating when the response will be provided. During the reporting year, responses were received for all reports on Government bills. Analysis of the Government's overall acceptance rate of Committee recommendations is not an exact science, in part because acceptance may be partial, but a reasonable approximation can be made. During the reporting period, the acceptance rate was in the region of 40%, with notable rates of acceptance in relation to the Environment Bill, the Telecommunications (Security) Bill, the Police, Crime, Sentencing and Courts Bill, the Armed Forces Bill, the Subsidy Control Bill, the Commercial Rent (Coronavirus) Bill. This contrasts with the Government's rejection of the Committee's recommendations in relation to the Professional Qualifications Bill, the National Insurance Contributions Bill, the Health and Care Bill, the Nationality and Borders Bill, the Judicial Review and Courts Bill and the Building Safety Bill.

130. The Committee is supported in its scrutiny work by a departmental delegated powers memorandum (“a memorandum”) for each Government bill (or private member's bill supported by the Government). The purpose of a memorandum is to explain and justify the delegation of legislative powers in a bill and the level of parliamentary scrutiny applied to their exercise. It has become the practice of the Committee to comment, where appropriate, on the quality of a memorandum. During the reporting year, the Committee commented critically on some (for example, those accompanying the Professional Qualifications Bill,²⁴³ the Nationality and Borders Bill,²⁴⁴ and the Judicial Review and Courts Bill²⁴⁵) but commended others (for example, the Environment Bill,²⁴⁶ the Nuclear Energy (Financing) Bill,²⁴⁷ and the Building Safety Bill,²⁴⁸ the last of which was also commended for the department's provision of illustrative secondary legislation for a number of important delegated powers).
131. In *Democracy Denied?*, the Committee stated its support for pre-legislative scrutiny of draft bills and, on occasion, it has assisted parliamentary committees charged with pre-legislative scrutiny of a draft bill. The Committee, which has no House of Commons equivalent, has advised both joint committees and House of Commons-only pre-legislative scrutiny committees. During the reporting period, it provided a note to the House of Commons Business, Energy and Industrial Strategy (BEIS) Committee in relation to the draft Downstream Oil Resilience Bill.²⁴⁹ The BEIS Committee reported in November 2021. In its report it said: “We are grateful to the

243 Delegated Powers and Regulatory Reform Committee, *Professional Qualifications Bill [HL]; Dormant Assets Bill [HL]; Skills and Post-16 Education Bill [HL]* (2nd Report, Session 2021–22, HL Paper 13), para 8

244 Delegated Powers and Regulatory Reform Committee, *Nationality and Borders Bill* (18th Report, Session 2021–22, HL Paper 141), paras 2, 12 and 17

245 Delegated Powers and Regulatory Reform Committee, *Building Safety Bill; Judicial Review and Courts Bill; Office for Demographic Change Bill [HL]* (20th Report, Session 2021–22, HL Paper 158), paras 33 and 40

246 Delegated Powers and Regulatory Reform Committee, *Environment Bill; Professional Qualifications Bill [HL]; Government Amendments and Professional Qualifications Bill [HL]; Government Response* (3rd Report, Session 2021–22, HL Paper 16)

247 Delegated Powers and Regulatory Reform Committee, *Nuclear Energy (Financing) Bill* [and other bills] (19th Report, Session 2021–22, HL Paper 155)

248 Delegated Powers and Regulatory Reform Committee, *Building Safety Bill; Judicial Review and Courts Bill; Office for Demographic Change Bill [HL]* (20th Report, Session 2021–22, HL Paper 158), para 3

249 Business, Energy and Industrial Strategy Committee, *Pre-legislative scrutiny: draft Downstream Oil Resilience Bill* (Fifth Report, Session 2021–22, HC 820)

[DPRRC] for ... supporting our effort to provide effective pre-legislative scrutiny of the draft bill”.²⁵⁰ At the request of the BEIS Committee, the Government response, published in February 2022, addressed the points raised by the DPRRC in its note.²⁵¹

Joint Committee on Statutory Instruments

132. The Joint Committee on Statutory Instruments (JCSI) is comprised of seven members from each House and seeks to ensure that the legal drafting of statutory instruments laid before Parliament is complete, appropriate and does not exceed the powers set out in the Act under which the instrument is made. The terms of reference of the Committee are set out in Standing Order 74 of the House of Lords Standing Orders relating to Public Business.²⁵² Under Standing Order 73, no motion to approve an affirmative instrument can be moved until the JCSI has reported on it, although the Standing Order does not prevent relevant instruments being debated in Grand Committee. On occasion, the Standing Order is suspended by the House to enable an approval motion to be moved. This occurred most recently in relation to SI 2022/452 Russia (Sanctions) (EU Exit) (Amendment) (No. 8) Regulations 2022, a made affirmative instrument which was laid and came into force on 14 April 2022 (during the Easter recess), debated in Grand Committee on 26 April 2022 and approved by the House on 28 April 2022.
133. The Committee usually meets weekly when the Houses of Parliament are sitting. During the reporting year (2021/22 financial year), the Committee met 33 times and published 32 reports. It considered 787 instruments (including both instruments subject to and those not subject to a parliamentary procedure) (205 affirmative, 486 negative and 96 no procedure), of which 126 were drawn to the special attention of the Houses.
134. The Committee also published two special reports. The first, *Rule of Law Themes from COVID-19 Regulations*,²⁵³ was published in July 2021. The report set out a number of recurring themes that arose in the Committee’s consideration of statutory instruments addressing the COVID-19 pandemic. The Committee noted with satisfaction that the Government has frequently taken action in response to reports of the Committee, and that there appeared to be a spirit of mutual respect and collaboration in the Committee’s dealings with the Government. The Committee, however, identified the following core issues: that the presumption against the sub-delegation of legislative power was a long-standing and important principle and the pandemic should not be used as an opportunity to depart from it unnecessarily; that, in some cases, offences underpinning enforcement of COVID-19 regulations were drafted with insufficient clarity or in such a way as appeared irrational; that a clear distinction needed to be made between guidance and requirements imposed by law, and that guidance should not be relied upon as a way of tightening up insufficiently certain provisions of legislation; whilst acknowledging that the pandemic had imposed significant pressures on the Government, the Government should, none the less, ensure that people were given as much

250 *Ibid.*, para 4

251 Business, Energy and Industrial Strategy Committee, *Pre-legislative scrutiny: draft Downstream Oil Resilience Bill. Government Response to the Committee’s Fifth Report* (Ninth Special Report, Session 2021–22, HC 1177)

252 See also House of Commons, *Standing Orders Public Business 2021* (December 2021) Standing Order 151: https://publications.parliament.uk/pa/cm5802/cmstords/so_804_2021/so-804_02122021v2.pdf

253 Joint Committee on Statutory Instruments, *Rule of Law Themes from COVID-19 Regulations* (First Special Report, Session 2021–22, HL Paper 57 and HC 600)

notice of legislation as possible, and that explanatory material describing the effect of legislation should do so accurately; and, that where emergency legislation made significant changes on a temporary basis, those changes should not be made permanent without careful consideration—in particular, where legislation affected fundamental rights, those rights should “not be quietly diluted under the cover of the pandemic response”.²⁵⁴ The second special report, published in October 2021, set out the Government’s response to the first special report.²⁵⁵

135. The Committee is supported by a team of Counsel from both Houses, including three House of Lords Counsel. House of Lords Counsel advise on affirmative instruments, also assisting departments by undertaking pre-laying scrutiny.

Secondary Legislation Scrutiny Committee

136. During the reporting year (2021/22 financial year), the Secondary Legislation Scrutiny Committee (SLSC) met 39 times and published 39 reports. It scrutinised 682 statutory instruments (195 affirmative and 487 negative instruments), 30 proposed negative instruments (PNs) laid under the European Union (Withdrawal) Act 2018 (“the 2018 Act”), 11 published draft instruments laid under the 2018 Act, and one PN laid under European Union (Future Relationship) Act 2020 (“the 2020 Act”). Of the instruments considered, the Committee drew 39 (6%) to the special attention of the House, most often on the ground that the instrument was “politically or legally important or gives rise to issues of public policy likely to be of interest to the House” but also with an unusually high proportion of instruments reported on the ground of inadequate explanation. In addition to drawing instruments to the special attention of the House, the Committee also includes in its reports information paragraphs where an instrument is of interest, is topical or follows an unusual process. During the reporting year, the SLSC published 140 information paragraphs on instruments other than COVID-19 related instruments. Near the start of the pandemic, in April 2020, the Committee announced that it would provide information paragraphs in its weekly reports on *all* COVID-19 instruments. The Committee has continued this practice and in the 2021–22 session it published 119 information paragraphs on 126 instruments relating to COVID-19 (49% of the total number of information paragraphs published during the session). Instruments about which information paragraphs have been published (as well as instruments drawn to the special attention of the House) are identified by an italicised note in House of Lords Business.
137. In November 2021, the Committee published its thematic report, entitled *Government by Diktat: A call to return power to Parliament*,²⁵⁶ which was published in parallel with DPRRC’s report *Democracy Denied? The urgent need to rebalance power between Parliament and the Executive*²⁵⁷ (see paragraph 126 above). Working in close collaboration with the DPRRC, the SLSC report joined forces with the DPRRC in asserting: the fundamental importance of

254 *Ibid.*, para 89

255 Joint Committee on Statutory Instruments, *Rule of Law Themes from COVID-19 Regulations: Government Response to the Committee’s First Special Report* (Second Special Report, Session 2021–22, HL Paper 82 and HC 774)

256 Secondary Legislation Scrutiny Committee, *Government by Diktat: A call to return power to Parliament* (20th Report, Session 2021–22, HL Paper 105)

257 Delegated Powers and Regulatory Reform Committee, *Democracy Denied? The urgent need to rebalance power between Parliament and the Executive* (12th Report, Session 2021–22, HL Paper 106)

the appropriate balance between primary and secondary legislation as the foundation of the relationship between Parliament and the executive; the need to place the principles of parliamentary democracy at the centre of ministerial decisions about the delegation of legislative powers in primary legislation; the need for restrictions on the use of skeleton bills and clauses, and for any legislative sub-delegation of power in secondary legislation to be fully explained in the Explanatory Memorandum (EM) accompanying an instrument containing the power. In addition, the Committee made recommendations and observations about issues specific to the Committee's terms of reference. These included issues relating to: the proper use of secondary legislation and guidance, the blurring of boundaries between the two, inconsistencies between secondary legislation and its related guidance, and the use of guidance to fill gaps in legislation; failure to provide, or to provide adequate, impact assessments or, where not formally required, of material in the EM accompanying an instrument to enable the effect of the instrument to be understood; the use of sunset provisions; and, effective parliamentary scrutiny of secondary legislation, breaches of the 21-day rule and the use of made affirmative instruments. The Government responded to the SLSC report on 24 January 2022.²⁵⁸ Many of the recommendations were not accepted, although the Government repeated their agreement, stated in their response to the DPRRC report, that the principles of parliamentary democracy should be included in the Cabinet Office Guide to Making Legislation, agreed that any legislative sub-delegation of power should be explained in an instrument's EM and agreed that the provision of impact assessments was important for parliamentary scrutiny. Examples of the commentary about the report following its publication are given above (see paragraph 127 above). As has already been noted the SLSC, with the DPRRC, will undertake further work in relation to the Government response in the forthcoming session.

138. It is the practice of the Committee to publish a report at the end of each session setting out its observations on matters relating to its terms of reference, along with activity statistics. The end of session report for the 2021–22 session, entitled *What next? The Growing Imbalance between Parliament and the Executive*, was published on 28 April 2022,²⁵⁹ just outside the reporting period. Splitting the statutory instruments considered by the Committee into three main categories—(1) COVID-19 instruments, (2) Brexit instruments and (3) “business as usual” (BAU) instruments—the report showed that during the 2021–22 session, in contrast to the findings of the last end of session report, BAU instruments predominated, accounting for 75% of instruments during the session, with COVID-19 instruments accounting for 19% and Brexit instruments for 6%. The report also highlighted a number of areas relating to statutory instruments which the Committee took the view were in need of improvement. These included: restrictions on effective parliamentary scrutiny, insufficient provision by departments of information about impact, inadequate consultation, poor quality explanations, legislative backlogs, issues relating to the availability and appropriate use of guidance, and the number of correcting instruments.

258 HM Government, *Government response to the Secondary Legislation Scrutiny Committee's twentieth report of Session 2021–22 'Government by Diktat: A call to return power to Parliament'* (24 January 2022): <https://committees.parliament.uk/publications/8704/documents/88287/default/> [accessed 30 May 2022]

259 Secondary Legislation Scrutiny Committee, *What Next? The Growing Imbalance between Parliament and the Executive* (38th Report, Session 2021–22, HL Paper 200)

139. From time to time, the Committee will invite ministers to give oral evidence about instruments which the Committee considers require further investigation. These have happened more frequently during the reporting period than in earlier years and included the following:

- In July 2021, the Committee took evidence from the Rt Hon. Nadhim Zahawi MP, then Minister for Covid Vaccine Deployment and Minister for Business and Industry at the Department of Health and Social Care, in relation to the draft Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021, which made it mandatory (subject to certain exemptions) for those working in a care home to be fully vaccinated.²⁶⁰ The Committee’s principal concern was the absence of an impact assessment when the instrument was laid.
- In October 2021, the Committee took evidence from Robert Court MP, Parliamentary Under-Secretary of State for Aviation, Maritime, Security and Civil Contingencies, Department for Transport, about the backlog in the implementation of international maritime legislation.²⁶¹
- In January 2022, the Committee heard from Baroness Vere of Norbiton, Parliamentary Under-Secretary of State for Roads, Motoring Agencies, Buses and Taxis, Department for Transport about the draft Motor Vehicles (Driving Licences) (Amendment) (No. 5) Regulations 2021, which, in order to increase the number of test slots for available for Heavy Goods Vehicles, removed a requirement for car and van drivers to take a certain test before they could tow heavier trailers.²⁶² The Committee’s concern was again the absence of an impact assessment.
- In March 2022, evidence was taken from Baroness Stedman-Scott, Minister for Work and Pensions about the Universal Credit and Jobseeker’s Allowance (Work Search and Work Availability Requirements—limitations) (Amendment) Regulations 2022.²⁶³ The Committee questioned the Minister about why the instrument had come

260 Secondary Legislation Scrutiny Committee, *Draft Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021: Oral Evidence* (10th Report, Session 2021–22, HL Paper 50)

261 Secondary Legislation Scrutiny Committee, *Instruments under the European Union (Withdrawal) Act 2018: Published draft instruments, Proposed negative instruments; Drawn to the special attention of the House: Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 16) Regulations 2021; Oral evidence with Department for Transport on its legislative backlog; Correspondence: Sunset Provisions in statutory instruments dealing with COVID-19; Includes information paragraphs on: 3 instruments relating to COVID-19; Draft Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021; Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021; Competition Act 1998 (Carbon Dioxide) (Public Policy Exclusion) Order 2021; Draft Eggs (England) Regulations 2021* (17th Report, Session 2021–22, HL Paper 88)

262 Secondary Legislation Scrutiny Committee, *Drawn to the special attention of the House: Protection of Animals at the Time of Killing (Amendment) (England) Regulations 2022; Oral Evidence with the Department for Transport on Motor Vehicle Licensing; Includes information paragraphs on: 4 instruments relating to COVID-19; Divorce, Dissolution and Separation Act 2020 (Consequential Amendments) Regulations 2022; Waste and Agriculture (Legislative Functions) Regulations 2022* (27th Report Session 2021–22, HL Paper 150)

263 Secondary Legislation Scrutiny Committee, *Drawn to the special attention of the House: Universal Credit and Jobseeker’s Allowance (Work Search and Work Availability Requirements—limitations) (Amendment) Regulations 2022; Oral Evidence Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) (No. 3) Regulations 2022; Oral evidence with the Department for Work and Pensions on tightening sanctions on jobseekers; Includes information paragraphs on: 2 instruments relating to COVID-19 Russia (Sanctions) (EU Exit) (Amendment) (No. 6) Regulations 2022 Houses in Multiple Occupation (Specified Educational Establishments) (England) (Amendment) Regulations 2022 and one related instrument* (33rd Report, Session 2021–22, HL Paper 176)

into force the day after it had been laid, in breach of the convention that there should be a period of least 21 days between when an instrument is laid and when it comes into force (the 21-day rule).

140. Following on from concerns about the provision of impact assessments, in March 2022, the Committee began a short inquiry into general issues relating to impact assessments.²⁶⁴ The Committee first heard from Christopher Carr, Director of the Better Regulation Executive at the Department for Business, Energy and Industrial Strategy,²⁶⁵ and then in early April, from Stephen Gibson, Chair of the Regulatory Policy Committee.²⁶⁶ The Committee will be taking further evidence and report its findings in the new session.
141. Finally, given the significance of some of the policy changes made through secondary legislation, the Committee has increased its engagement with the media, with the assistance of the House of Lords communications team. In the 2021–22 session, the Committee issued 17 press releases which generated over 140 pieces of coverage.

264 Secondary Legislation Scrutiny Committee, ‘Quality of Impact Assessments’: <https://committees.parliament.uk/work/6620/quality-of-impact-assessments/>

265 Oral evidence taken before the Secondary Legislation Scrutiny Committee, 22 March 2022 (Session 2021–22) [QQ 1–13](#)

266 Oral evidence taken before the Secondary Legislation Scrutiny Committee, 5 April 2022 (Session 2021–22) [QQ 1–14](#) (Stephen Gibson)

CHAPTER 5: JOINT COMMITTEES

Joint Committee on the Draft Online Safety Bill

142. The Joint Committee on the Draft Online Safety Bill was appointed on 22 July 2021 to conduct pre-legislative scrutiny of the Draft Online Safety Bill.²⁶⁷ The Committee received over 200 pieces of written evidence and heard oral evidence from over 50 witnesses, including the Facebook (Meta) whistle-blower Ms Frances Haugen.²⁶⁸ The Committee also held three roundtable seminars and travelled to Brussels in November 2021 to meet with representatives of the European Commission and European Parliament to discuss related matters in the EU’s Digital Services Act.²⁶⁹
143. The Committee published its report on 14 December 2021.²⁷⁰ It made a number of recommendations, including that the Bill should mandate a safety-by-design approach to platforms, overseen and regulated by Ofcom, to stop the publication and spread of illegal and potentially harmful material. The report received a positive response from a number of stakeholder groups. For example, Carnegie UK Trust welcomed the “detailed, measured report”, and noted that it was “no small task to undertake pre-legislative scrutiny of such a complex draft Bill.”²⁷¹
144. The Government introduced the Online Safety Bill in March 2022 and it received its second reading on 19 April 2022.²⁷² 66 of the Committee’s 129 recommendations were adopted. The more significant of those included putting priority illegal content on the face of the Bill, including paid-for fraudulent advertising and commercial pornography within the scope of the Bill and using a number of the Law Commission’s recommended new communications offences.²⁷³

Joint Committee on Human Rights

145. The Joint Committee on Human Rights (JCHR) continued to scrutinise the Government’s response to the COVID-19 pandemic. It published a report on restrictions on visits to care homes as a result of lockdown on 5 May 2021.²⁷⁴ It went on to launch a wider inquiry on protecting human rights in care homes on 20 September 2021.²⁷⁵

267 Joint Committee on the Draft Online safety Bill, *Draft Online Safety Bill* (Report of Session 2021–22, HC 609, HL Paper 129)

268 Oral evidence taken before the Joint Committee on the Draft Online Safety Bill, 25 October 2021 (Session 2021–22) [Q 154–192](#) (Frances Haugen)

269 European Commission, The Digital Services Act Package (April 2022): <https://digital-strategy.ec.europa.eu/en/policies/digital-services-act-package> [accessed 29 April 2022]

270 Joint Committee on the Draft Online safety Bill, *Draft Online Safety Bill* (Report of Session 2021–22, HC 609, HL Paper 129)

271 Carnegie UK, Carnegie UK responds to the report of the Joint Committee on the Draft Online Safety Bill (December 2021): <https://www.carnegieuktrust.org.uk/blog-posts/carnegie-uk-responds-to-the-report-of-the-joint-committee-on-the-draft-online-safety-bill/> [accessed 29 April 2022]

272 *Online Safety Bill*, [Bill 285 (2021–22)]

273 Law Commission, Reform of the Communications Offences (July 2021): <https://www.lawcom.gov.uk/project/reform-of-the-communications-offences/> [accessed 29 April 2022]

274 Joint Committee on Human Rights, *Care homes: Visiting restrictions during the covid-19 pandemic* (Fifteenth Report, Session 2019–21, HC 1375, HL Paper 278)

275 Joint Committee on Human Rights, ‘New inquiry: Protecting Human Rights in Care Settings’ (21 September 2021): <https://committees.parliament.uk/committee/93/human-rights-joint-committee/news/157644/new-inquiry-protecting-human-rights-in-care-settings/>

146. The Committee also launched an inquiry into the adoption of the children of unmarried mothers 1949–76 in September 2021²⁷⁶ and published reports on the Government’s plan to review its Human Rights Act.²⁷⁷ Bill reports were published on the Police, Crime Sentencing and Courts (PCSC) Bill²⁷⁸, the Nationality and Borders Bill²⁷⁹, the Elections Bill²⁸⁰ and the Judicial Review and Courts Bill²⁸¹. A number of amendments consistent with those proposed by the Committee were made to two of those Bills.²⁸²

Joint Committee on the National Security Strategy

147. The Joint Committee on the National Security Strategy (JCNSS) published its report *The UK’s national security machinery* in September 2021.²⁸³ Witnesses to the inquiry included former Prime Ministers David Cameron and Theresa May, as well as current and former National Security Advisers.
148. Noting the situation in Afghanistan in the summer of 2021, the Joint Committee concluded that the National Security Council (NSC) and the cross-government machinery that supports its work were inadequate and reiterated concerns around the Government’s approach to risk management, which had been set out in the Joint Committee’s 2020 report on Biosecurity.²⁸⁴
149. In November 2021, the Joint Committee held a one-off evidence session with Simon Clarke MP, Chief Secretary to the Treasury, and Catherine Little, Director General Public Spending, HM Treasury, about the role of HM Treasury in national security spending.²⁸⁵ A one-off evidence session

276 Joint Committee on Human Rights, ‘The right to family life: adoption of children of unmarried women 1949–1976’: <https://committees.parliament.uk/work/1522/the-right-to-family-life-adoption-of-children-of-unmarried-women-19491976/>

277 Joint Committee on Human Rights, *The Government’s Independent Review of the Human Rights Act* (Third Report, Session 2021–22, HC 89, HL Paper 31); *Human Rights Act Reform* (Thirteenth Report, Session 2021–22, HC 1033, HL Paper 191)

278 Joint Committee on Human Rights, *Children of mothers in prison and the right to family life: The Police, Crime, Sentencing and Courts Bill* (First Report, Session 2021–22, HC 90, HL Paper 5); *Legislative Scrutiny: Police, Crime, Sentencing and Courts Bill, Part 3 (Public Order)* (Second Report, Session 2021–22 HC 331, HL Paper 23); *Legislative Scrutiny: Police, Crime, Sentencing and Courts Bill (Part 4): The criminalisation of unauthorised encampments* (Fourth Report, Session 2021–22, HC 478, HL Paper 37); *Legislative Scrutiny: Police, Crime, Sentencing and Courts Bill (Parts 7 and 8): Sentencing and Remand of Children and Young People* (Sixth Report, Session 2021–22, HC 451, HL Paper 73)

279 Joint Committee on Human Rights, *Legislative Scrutiny: Nationality and Borders Bill (Part 1) - Nationality and Borders Bill (Part 3)—Immigration offences and enforcement* (Ninth Report, Session 2021–22, HC 885, HL Paper 112); *Legislative Scrutiny: Nationality and Borders Bill (Part 5)—Modern slavery* (Eleventh Report, Session 2021–22, HC 964, HL Paper 135); *Legislative Scrutiny: Nationality and Borders Bill (Parts 1, 2 and 4)—Asylum, Home Office Decision-Making, Age Assessments, and Deprivation of Citizenship Orders* (Twelfth Report, Session 2021–22, HC 1007, HL Paper 143)

280 Joint Committee on Human Rights, *Legislative Scrutiny: Elections Bill* (Fifth Report, Session 2021–22, HC 233, HL Paper 58)

281 Joint Committee on Human Rights, *Legislative Scrutiny: Judicial Review and Courts Bill* (Tenth Report, Session 2021–22, HC 884, HL Paper 120)

282 For example, the PCSC Bill was amended to remove a provision relating to restrictions on individuals protesting and the Judicial Review and Courts Bill was amended to remove a presumption in favour of prospective-only quashing orders by the courts.

283 Joint Committee on the National Security Strategy, *The UK’s national security machinery* (First Report, Session 2021–22, HC 231, HL Paper 68)

284 Joint Committee on the National Security Strategy, *The UK’s national security machinery* (First Report, Session 2021–22, HC 231, HL Paper 68) and Joint Committee on the National Security Strategy, *Biosecurity and national security* (First Report, Session 2019–21, HC 611, HL Paper 195)

285 Oral evidence taken before the Joint Committee on the National Security Strategy, 29 November 2021 (Session 2021–22), [OQ 1–19](#) (Rt Hon. Simon Clarke MP, Catherine Little)

concerning the role of the National Security Adviser was held in October 2021 with Sir Stephen Lovegrove, the National Security Adviser.²⁸⁶

150. The Joint Committee launched an inquiry into critical national infrastructure (CNI) and climate adaptation in November 2021.²⁸⁷ As part of this inquiry a survey of infrastructure operators was launched in February 2022, which asked respondents, such as energy, water and telecoms companies, about their experience of and preparation for extreme weather events and climate change, as well as their views on Government support for CNI resilience.²⁸⁸

286 Oral evidence taken before the Joint Committee on the National Security Strategy, 20 October 2021 (Session 2021–22), [OQ 1–18](#) (Sir Stephen Lovegrove, David Quarrey)

287 Joint Committee on the National Security Strategy, ‘Critical national infrastructure and climate adaptation’: <https://committees.parliament.uk/work/1659/critical-national-infrastructure-and-climate-adaptation/>

288 Joint Committee on the National Security Strategy, ‘Committee launches survey of infrastructure operators’ (9 February 2022): <https://committees.parliament.uk/work/1659/critical-national-infrastructure-and-climate-adaptation/news/160931/committee-launches-survey-of-infrastructure-operators/>

CHAPTER 6: COMMUNICATING MORE WIDELY

Internal communications

151. The internal email newsletter, *From the Horseshoe*, has continued to provide members and members of staff of both Houses with information regarding committee activity including evidence sessions, reports, Government responses and follow-up work. Eighteen editions of the newsletter have been produced in 2021/22 by a member of Liaison Committee staff. Content is also provided for the staff newsletter, Red Carpet News, which is published on the Intranet.

External communications

152. House of Lords committees have continued to develop how they explain their role and work to the public. Committees are supported in explaining their work to the public by the House of Lords Communications department who develop communications strategies for each inquiry and support committees to engage with the media and through other communications channels.
153. The new House of Lords Podcast provided a platform for committee Chairs to explain their work directly to listeners. Over the course of the year 11 committee Chairs and members were interviewed on the podcast.
154. Lords Committees have tried several new approaches to communicating their work over the 2021/22 financial year. Some highlights include:
- The Committee on a National Plan for Sport and Recreation who partnered with Sky News youth news programme FYI to commission a survey of young people’s attitude towards, and participation in, physical activity. This not only resulted in a quantitative survey of 1000 young people that was submitted as evidence to the Committee and informed its report, but also two special editions of FYI which explained the work of the Sport and Recreation Committee and the role of the House of Lords more widely to its young audience.
 - The increased use of live tweeting of evidence sessions has resulted in committees, in particular the Economic Affairs Committee, reaching new audiences and growing its following on social media. The Economic Affairs Committee’s live tweeting of its evidence session with the Governor of the Bank of England was used in a string of updates on the day by the Guardian’s Business Live news feed.²⁸⁹
 - The Secondary Legislation Scrutiny Committee and Delegated Powers and Regulatory Reform Committee published two reports on the Government’s approach to introducing secondary legislation simultaneously. This was supported by a communications strategy that led to the reports being widely covered by Times Radio, The FT²⁹⁰ and featuring on the BBC’s Law in Action Podcast.²⁹¹

289 ‘Pound lifted by signs of UK jobs recovery; US housing starts hit by surging lumber costs—as it happened’, *The Guardian* : <https://www.theguardian.com/business/live/2021/may/18/uk-labour-market-recovery-unemployment-rate-payrolls-ftse-pound-business-live> [accessed 14 June 2022]

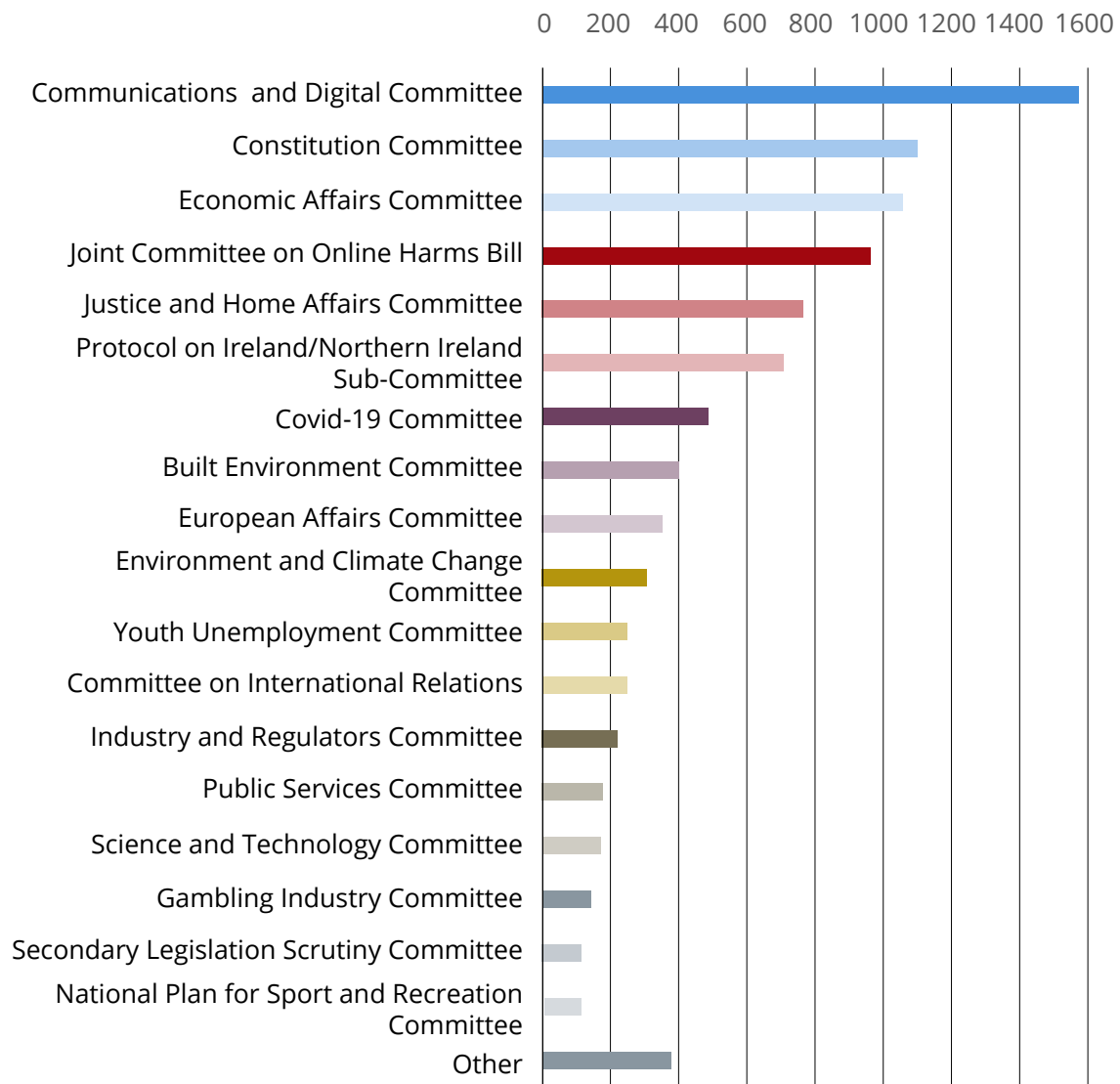
290 ‘The new ‘Government by diktat’ bypasses parliament altogether’, *The Financial Times*: <https://www.ft.com/content/36091d6c-a542-4253-8261-1a354e60b6cb> [accessed 14 June 2022]

291 BBC Radio 4, Law in Action: <https://www.bbc.co.uk/sounds/play/m0014wtz> [accessed 14 June 2022]

- The Constitution Committee’s report on the future of the Union was supported by a communications strategy focused on delivering opinion piece coverage. It resulted in a record six op-ed pieces from members of the Committee being published in Scottish and Welsh national media and English regional newspapers.
- The Joint Committee on the Online Safety Bill used high profile evidence sessions to build on international interest in its inquiry and achieve high profile global coverage. The Committee also broke new ground with the Chair hosting his own weekly podcast based on oral evidence the Committee had taken that week.

155. Over the course of the financial year there were 10,170 media articles or broadcast features about House of Lords committees. Of these 9,431 were positive in tone, 638 were neutral and 101 were negative.
156. This coverage included 8,902 pieces of online coverage, 398 articles in national newspapers, 235 in regional newspapers, 158 radio features and 138 television news features. Figure 1 sets out the volume of coverage received by Committees with more than 100 media features in the 2021/22 financial year.

Figure 1: Volume of positive media coverage



157. The newspapers most regularly covering Lords committees were: The Daily Telegraph (51 times), The Times (49 times), The Daily Mail (35 times), The Yorkshire Post (30 times) and The Guardian (28 times).

158. The broadcasters most regularly covering Lords committees were: Sky News (62 times), BBC Radio 4 (42 times), Times Radio (18 times), BBC 2 (12 times) and BBC Radio 2 (9 times).

APPENDIX 1: ACTIVITY INDICATORS BY FINANCIAL YEAR

	2017/18 (Joint Committees)	2018/19 (Joint Committees)	2019/20 (Joint Committees)	2020/21 (Joint Committees)	2021/22 (Joint Committees)
Number of committees /sub-committees	19 (2) ²⁹²	20 (3) ²⁹³	24 (3) ²⁹⁴	26 (3) ²⁹⁵	24 (3) ²⁹⁶
Number of committee meetings	430 (26)	567 (45)	386(25)	658 (69)	615 (78)
Number of committee members	229 (16)	245 (22)	281 (21)	305 (22)	251 (22)
Number of witnesses giving oral evidence	778 (77)	939 (119)	638(35)	1095 (108)	1048 (166)
Number of written submissions received	917 (327)	1,377 (229)	1040(167)	2342 (512)	1397 (1073)
Number of reports published	44 (7)	65 (15)	58 (11)	81 (13)	65 (15)
Number of printed pages of reports	2,395 (298)	3,075 (541)	2,224 (495)	3457 (575)	2773 (864)
Resource expenditure outturn	£3,873,109	£4,211,649	£4,500,524	£4,607,782	£4,898,485 ²⁹⁷

Note: All figures exclude the Secondary Legislation Scrutiny Committee, the Delegated Powers and Regulatory Reform Committee and the Joint Committee on Statutory Instruments. The SLSC publishes data on its activity in its own yearly reports on the work of the Committee.

292 Including JCHR and JCNSS

293 Including JCHR, JCNSS and Joint Committee on the Draft Registration of Overseas Entities Bill. Excluding Joint Committee on the Draft Health Service Safety Investigations Bill, Joint Committee on the Draft Parliamentary Buildings Bill and Joint Committee on the Draft Domestic Abuse Bill

294 Including JCHR, JCNSS and Joint Committee on the Draft Registration of Overseas Entities Bill. Excluding Committee on the Draft Domestic Abuse Bill. Artificially high due to the late publication of 3 Special Inquiry Reports

295 Including JCHR, JCNSS and Joint Committee on the Fixed-Term Parliaments Act. Artificially high due to the transition between the former EU sub-committees and the new sessional committees.

296 Including JCHR, JCNSS and Joint Committee on the Draft Online Safety Bill.

297 Provisional resource expenditure outturn.

APPENDIX 2: LIST OF INVESTIGATIVE SELECT COMMITTEE REPORTS PUBLISHED IN 2021/22, INCLUDING DATE OF GOVERNMENT RESPONSE

Committee	Title	Publication date	Government response received
Built Environment	Meeting housing demand	10 January 2022	10 March 2022
Communications and Digital	Free for all? Freedom of expression in the digital age	22 July 2021	29 October 2021
Communications and Digital	The future of Channel 4	26 November 2021	26 January 2022
Communications and Digital	Digital regulation: joined-up and accountable	13 December 2021	17 March 2022
Constitution	Abortion (Northern Ireland) Regulations 2021	22 April 2021	None required
Constitution	COVID-19 and Parliament	13 May 2021	None required
Constitution	Sessional report 2019–21	28 May 2021	None required
Constitution	COVID-19 and the use and scrutiny of emergency powers	10 June 2021	14 September 2021
Constitution	Environment Bill	22 June 2021	3 September 2021
Constitution	Telecommunications (Security) Bill	22 June 2021	13 July 2021
Constitution	Revision of the Cabinet Manual	8 July 2021	7 February 2022
Constitution	Police, Crime, Sentencing and Courts Bill	9 September 2021	1 December 2021
Constitution	Dissolution and Calling of Parliament Bill	19 November 2021	13 December 2021

Committee	Title	Publication date	Government response received
Constitution	Health and Care Bill	7 January 2022	18 February 2022
Constitution	Respect and Co-operation: Building a Stronger Union for the 21st century	20 January 2022	Due 20 March 2022, no further date agreed for a response
Constitution	Nationality and Borders Bill	21 January 2022	None required
Constitution	Judicial Review and Courts Bill	18 February 2022	None required
Constitution	Elections Bill	1 March 2022	None required
Constitution	Economic Crime (Transparency and Enforcement) Bill	11 March 2022	None required
COVID-19	Beyond Digital: Planning for a Hybrid World	21 April 2021	5 July 2021
COVID-19	Beyond Digital: the Government response	22 July 2021	None required
COVID-19	Towns and Cities: Local Power is the Path to Recovery	7 December 2021	7 March 2022
COVID-19	Living in a COVID World: A Long-Term Approach to Resilience and Wellbeing	16 March 2022	Due 16 May 2022, expected 16 June 2022
Draft Online Safety Bill (Joint Committee)	Draft Online Safety Bill	14 December 2021	17 March 2022
Economic Affairs	Quantitative easing: a dangerous addiction?	16 July 2021	16 September 2021

Committee	Title	Publication date	Government response received
Economic Affairs	Central bank digital currencies: a solution in search of a problem	13 January 2022	9 March 2022
European Affairs	Citizens' Rights	23 July 2021	20 October 2021
European Affairs	Free Trade Agreement between Iceland, the Principality of Liechtenstein and the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland	11 October 2021	29 November 2021
European Affairs	One year on—Trade in goods between Great Britain and the European Union	16 December 2021	16 February 2022
Finance Bill Sub-Committee	Basis Period Reform and Uncertain Tax Treatments	15 December 2021	1 February 2022
Industry and Regulators	The net zero transformation: delivery, regulation and the consumer	4 March 2022	25 May 2022
International Agreements	Scrutiny of international agreements: Trade Continuity Agreement with Mexico	15 April 2021	25 May 2021
International Agreements	Scrutiny of international agreements: Interim Partnership Agreements with Ghana and Cameroon	27 May 2021	28 June 2021
International Agreements	Scrutiny of international agreements: Partnership, Trade and Cooperation Agreement with Serbia	18 June 2021	14 July 2021
International Agreements	Scrutiny of international agreements: Agreement with Peru on mutual recognition of qualifications	24 June 2021	None required
International Agreements	Scrutiny of international agreements: Protocol amending the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan for Co-operation in the Peaceful Uses of Nuclear Energy	1 July 2021	None required

Committee	Title	Publication date	Government response received
International Agreements	Scrutiny of international agreements: Protocol of amendments to UK-Soviet Agreement on preventing incidents at sea beyond the territorial sea	8 July 2021	None required
International Agreements	Scrutiny of international agreements: Agreement with Switzerland on the mutual recognition of AEO programmes; and Agreements with Estonia, Latvia, Belgium and Italy on the protection of classified information	22 July 2021	None required
International Agreements	Working practices: one year on	17 September 2021	8 February 2022
International Agreements	Scrutiny of international agreements: Convention on the recognition of higher education qualifications	21 October 2021	None required
International Agreements	Scrutiny of international agreements: Treaties on the Readmission of Persons (Albania), Employment by Members of Diplomatic Households (Portugal), Social Security Coordination (Switzerland), and a Maritime Boundary (Anguilla and Antigua and Barbuda)	4 November 2021	None required
International Agreements	UK accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP): Scrutiny of the Government's Negotiating Objectives	17 November 2021	19 January 2022
International Agreements	Scrutiny of international agreements: Amendment to Road Traffic Convention, and Agreement with Albania on Prisoner Transfers	19 November 2021	24 February 2022
International Agreements	Scrutiny of international agreements: Ballast Water Management Convention	2 December 2021	None required
International Agreements	Scrutiny of international agreements: UK-Ukraine Credit Support Agreement and ILO Violence and Harassment Convention	9 December 2021	None required

Committee	Title	Publication date	Government response received
International Agreements	Scrutiny of international agreements: AUKUS Information Exchange Agreement	13 January 2022	None required
International Agreements	Scrutiny of international agreements: UK-Kenya Defence Cooperation Agreement	17 January 2022	None required
International Agreements	Scrutiny of international agreements: Agreements on Channel Tunnel Railway Licences Undertakings and Train Driving Licences	3 March 2022	None required
International Agreements	Scrutiny of international agreements: Agreement between the United Kingdom and the Republic of Serbia on the readmission of persons residing without authorisation	10 March 2022	None required
International Relations and Defence	The UK and China's security and trade relationship: A strategic void	10 September 2021	22 November 2021
International Relations and Defence	UNCLOS: the law of the sea in the 21st century	1 March 2022	31 May 2022
Joint Committee on Human Rights	The Government response to covid-19: fixed penalty notices	27 April 2021	23 June 2021
Joint Committee on Human Rights	Children of mothers in prison and the right to family life: The Police, Crime, Sentencing and Courts Bill	14 May 2021	13 July 2021
Joint Committee on Human Rights	Legislative Scrutiny: Police, Crime, Sentencing and Courts Bill, Part 3 (Public Order)	22 June 2021	15 September 2021
Joint Committee on Human Rights	Legislative Scrutiny: Police, Crime, Sentencing and Courts Bill (Part 4): The criminalisation of unauthorised encampments	2 July 2021	5 October 2021
Joint Committee on Human Rights	The Government's Independent Review of the Human Rights Act	8 July 2021	

Committee	Title	Publication date	Government response received
Joint Committee on Human Rights	Legislative Scrutiny: Elections Bill	2 September 2021	5 November 2021
Joint Committee on Human Rights	Legislative Scrutiny: Police, Crime, Sentencing and Courts Bill (Parts 7 and 8): Sentencing and Remand of Children and Young People	23 September 2021	10 December 2021
Joint Committee on Human Rights	Legislative Scrutiny: Nationality and Borders Bill (Part 1)—Nationality	9 November 2021	
Joint Committee on Human Rights	Proposal for a draft Bereavement Benefits (Remedial) Order 2021: discrimination against cohabiting partners	12 November 2021	
Joint Committee on Human Rights	Legislative Scrutiny: Nationality and Borders Bill (Part 3)—Immigration offences and enforcement	1 December 2021	
Joint Committee on Human Rights	Legislative Scrutiny: Judicial Review and Courts Bill	7 December 2021	
Joint Committee on Human Rights	Legislative Scrutiny: Nationality and Borders Bill (Part 5)—Modern slavery	21 December 2021	
Joint Committee on Human Rights	Legislative Scrutiny: Nationality and Borders Bill (Parts 1, 2 and 4)—Asylum, Home Office Decision-Making, Age Assessments, and Deprivation of Citizenship Orders	19 January 2022	9 March 2022
Joint Committee on the National Security Strategy	The UK's national security machinery	19 September 2021	19 November 2021
Justice and Home Affairs	Technology rules? The advent of new technologies in the justice system	30 March 2022	22 June 2022

Committee	Title	Publication date	Government response received
Liaison	Tackling Financial Exclusion: A country that works for everyone? Follow-up report	24 April 2021	15 June 2021
Liaison	Review of House of Lords investigative and scrutiny committee activity in 2020–21	14 June 2021	None required
Liaison	The Equality Act 2010: the impact on disabled people Follow-up report	9 September 2021	29 November 2021
Liaison	Designation of responsible committee of the House of Lords for the purposes of section 3 of the Trade Act 2021	3 November 2021	None required
Liaison	New committee activity in 2022	19 November 2021	None required
Liaison	The Ties that Bind: Citizenship and Civic Engagement in the 21st Century - Follow-up report	29 March 2022	28 May 2022
National Plan for Sport and Recreation	A national plan for sport, health and wellbeing	10 December 2021	11 February 2022
Protocol on Ireland/Northern Ireland Sub-Committee	Introductory report	29 July 2021	4 October 2021
Protocol on Ireland/Northern Ireland Sub-Committee	Scrutiny of EU legislative proposals within the scope of the Protocol on Ireland/Northern Ireland	22 March 2022	30 May 2022
Public Services	Children in crisis: the role of public services in overcoming child vulnerability	19 November 2021	7 March 2022
Risk Assessment and Risk Planning	Preparing for Extreme Risks: Building a Resilient Society	3 December 2021	17 March 2022

Committee	Title	Publication date	Government response received
Science and Technology	Battery strategy goes flat: Net-zero target at risk	27 July 2021	27 September 2021
Science and Technology	Nature-based solutions: rhetoric or reality? - The potential contribution of nature-based solutions to net zero in the UK	27 January 2022	12 April 2022
Youth Unemployment	Skills for every young person	26 November 2021	10 March 2022

APPENDIX 3: MEMORANDUM OF UNDERSTANDING PERTAINING TO SECTION 3 OF THE TRADE ACT 2021

Letter from Baroness Hayter, Chair of the International Agreements Committee to Baroness Anelay of St Johns, Chair of the International Relations and Defence Committee

Memorandum of Understanding pertaining to Section 3 of the Trade Act 2021

Many thanks for your letter of 21 January 2022 (reproduced below) containing a Memorandum of Understanding that (1) acknowledges the role the International Agreements Committee could play in providing early warning of negotiations that might engage Section 3 of the Trade Act 2021, (2) sets out how our committees would collaborate should a sub-committee be appointed under that Section, and (3) outlines your committee's processes more generally.

I confirm that the International Agreements Committee has agreed to the arrangements set out in the Memorandum of Understanding. This reply will therefore place on record the shared understanding of the two committees on this matter.

21 January 2022

Letter from Baroness Anelay of St Johns, Chair of the International Relations and Defence Committee Baroness Hayter of Kentish Town, Chair of the International Agreements Committee

Memorandum of Understanding pertaining to Section 3 of the Trade Act 2021

On 1 December 2021, the House agreed to a Liaison Committee 1 report which designated the International Relations and Defence Committee (IRDC) as the committee responsible for conducting any inquiry to consider whether “there exist credible reports of a genocide” in the territory of a prospective counter-party to a Free Trade Agreement (FTA) with the UK. The report followed the passage of the Trade Act 2021 (“the Trade Act”), section 3 of which 1 Liaison Committee, 3rd Report (Session 2021–22, HL Paper 41) mandated each House to designate a committee for these purposes. In order to fulfil this responsibility, the IRDC will be given the power to appoint a sub-committee to carry out the inquiry. The House is likely to be asked to give the IRDC this power in February 2022.

The Liaison Committee's report noted that the two committees with relevant remits were the IRDC and the International Agreements Committee (IAC). It noted the IAC's role meant that it was likely to have early notice of the prospect of an FTA and suggested “that a memorandum of understanding between the IAC and the IRDC might be an appropriate way of ensuring effective and timely communication regarding this matter.”

I am grateful to you and the members of the IAC for their constructive collaboration since the publication of the Liaison Committee's report. This letter sets out what I think is the basis of a memorandum of understanding based on the discussions we have had, not only about the way the IAC might notify the IRDC of the prospect of an FTA but also about the IRDC's process more generally. Although the likelihood and specific context of any inquiry are inevitably unknown at this stage, I hope this exchange will be of assistance to all concerned in the event an inquiry under s. 3 of the Trade Act is needed.

Decision over initiating an inquiry

In accordance with the House’s decision, the decision over whether or not to initiate an inquiry will rest with the IRDC. However, the ability of the IAC to provide early warning of an FTA will be critical to ensuring that where the prospect of an FTA is clear, it is known by IRDC at as early a stage as possible. I know that the secretariats of the two committees have discussed this and will work together as necessary to ensure relevant information is shared in a timely way.

Composition of sub-committee

The Liaison Committee’s report suggested that the Chair of the IRDC consult the usual channels before the IRDC appoints a sub-committee. The decisions over the membership of the subcommittee will clearly depend on factors only known at the time of those decisions. Such factors include the availability of members for the expected duration of what is likely to be an intensive inquiry and the identity of the counterparty to the prospective FTA and any associated political dimensions. But establishing some expectations now about that process may be helpful given the possibility that a sub-committee needs to be appointed quickly.

In the interests of maintaining public confidence that the sub-committee’s process is fair, I suggest that the chair of the sub-committee ought to be a member who has not taken a public position on either side of the argument over whether genocide has occurred in the counterparty to the FTA. Because of the need for the sub-committee to conduct its work at pace and a way that is as efficient as possible, I also suggest that it be smaller than a full select committee. Thus it might have six rather than 12 members, allowing for the standard proportions of parties and groups, in this case meaning two of the Conservative and Labour benches and one each of the Liberal Democrat and Crossbench groups. Consideration would be given to whether it would be helpful to have representation from the IRDC or the IAC on the sub-committee. As we discussed, in principle this would be desirable but it would need to be balanced with wider considerations about the composition of the sub-committee, and should be part of the discussion with the usual channels over sub-committee appointments. If the Chair of the sub-committee was not a pre-existing member of the IRDC then the IRDC may want to extend an invitation to that member to attend private meetings as necessary in order to keep the parent committee informed of the sub-committee’s progress. Given the possibility that the IAC may well be conducting its own scrutiny in parallel, the IAC and IRDC will similarly need to stay in communication with each other.

Given the likelihood that the sub-committee will need to take a significant proportion of its evidence from witnesses who are overseas, and the increasing effectiveness of available videoconferencing technology, the sub-committee may well want to meet virtually rather than physically, although this would of course be a matter for the sub-committee itself to decide.

Given the wording of the Liaison Committee’s report and established practice on other subcommittees, I have consulted the usual channels on this section of the note.

Resourcing and conduct of inquiries

The Liaison Committee’s report noted that the conduct of an inquiry under s. 3 of the Trade Act would be “likely to be demanding”, requiring complex and expert legal and specialist advice and that it is impossible to predict when this might be

required. Duncan Sagar is working with Committee Office colleagues to develop detailed contingency plans, including the provision of specialist training and support, such as was provided for the team supporting the ad hoc committee on the prevention of sexual violence in conflict, given the potentially very harrowing nature of the committee's work and the need to engage sensitively with witnesses who may have experienced serious trauma.

The act limits the scope of an inquiry to considering whether there are “credible reports” of genocide, as defined within Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide, within the territory of a party to a prospective FTA. It will be for the subcommittee to determine whether reports of genocide are credible or not. In making this determination the committee will need to draw conclusions based on the evidence it receives and any publicly available legal opinion.

At this point it is difficult to predict the timescales for an inquiry, which will depend on the circumstance of the case. In any circumstances a challenge for the sub-committee will be to balance ensuring that it has a thorough enough evidence base to come to a robust conclusion with producing a report to a timescale which informs the House at a sufficiently early stage for the resulting debate and any further scrutiny by the wider House. Doing this will be important if the resulting report and debate are to influence the Government's approach to any negotiations over a prospective FTA.

21 January 2022

APPENDIX 4: ACRONYMS

AI	Artificial Intelligence
BEIS	Business, Energy and Industrial Strategy
CBDC	Central bank digital currency
CMA	Competition and Markets Authority
CNI	Critical national infrastructure
COP15	United Nations Biodiversity Conference
COP26	2021 United Nations climate change conference
	COP stands for Conference of the Parties
CPTPP	Comprehensive and Progressive Agreement for Trans-Pacific Partnership
DCMS	Department for Digital, Culture, Media and Sport
DHSC	Department for Health and Social Care
DPRRC	Delegated Powers and Regulatory Reform Committee
EES	Entry/Exit System
EM	Explanatory Memorandum
ETIAS	European Travel Authorisation System
JCHR	Joint Committee on Human Rights
JCNSS	Joint Committee on the National Security Strategy
JCSI	Joint Committee on Statutory Instruments
NSC	National Security Council
PCSC	Police, Crime, Sentencing and Courts Bill
PE	Physical Education
PNs	Proposed Negative Instruments
QE	Quantitative easing
RSPB	Royal Society for the Protection of Birds
SLAPPs	Strategic lawsuits against public participation
SLSC	Secondary Legislation Scrutiny Committee
SMEs	Small and medium-sized enterprises
UNCLOS	United Nations Convention on the Law of the Sea
WTO TESSD	World Trade Organization Trade and Environmental Sustainability Structured Discussions