

# JUSTICE PRESS RELEASE

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## **Attorney General urged to act on Public Bodies Bill**

JUSTICE has today written to the Attorney General, as the government's legal adviser, asking him to intervene to persuade the relevant ministers that the Public Bodies Bill requires fundamental reconsideration.

The Bill seeks powers for ministers to amend statutes by statutory instrument and without further primary legislation. The Constitution Committee of the House of Lords has strongly protested against this abuse of democracy. The second reading of the bill was subject to an extremely rare amendment motion in protest earlier this week.

A number of Commons ministers resisted provisions of exactly the same kind in the 2006 Legislative and Regulatory Reform Bill. Ken Clarke said it would sweep 'away parliamentary procedure and debate on an astonishing scale.' Dominic Grieve referred to similar provisions by saying: 'it would be difficult to imagine a more fundamental shift from the normal convention and practice in our country's constitution'.

JUSTICE's letter to the Attorney concludes:

*It would certainly seem difficult for a number of those who are now ministers in the Commons to support the bill in its current form given their creditable opposition to the Legislative and Regulatory Reform Bill. This raised exactly the same issue of governmental disdain for Parliamentary scrutiny. The convention that amendment to primary legislation requires primary legislation itself surely remains, as you and a number of your senior colleagues indicated in opposition, a powerful democratic safeguard – however inconvenient it may be for the government of the day*

Roger Smith OBE, JUSTICE's director, said:

**The Public Bodies Bill is a constitutional monstrosity. The Attorney General must intervene to explain to other ministers the fundamental constitutional safeguard that the amendment of statute requires another statute - not a statutory instrument that can be rushed through without proper scrutiny.**