Dear Graeme,

Thank you for your letter of 25 October 2017 regarding your committee’s recent scrutiny of subordinate legislation and the overall quality of subordinate legislation laid before the Scottish Parliament.

I apologise that two of those instruments recently considered have required corrective regulations to be brought forward. This, as you point out, increases the work of the Committee. I have asked officials to consider what lessons can be learned from the specific circumstances of those instruments for the purposes of our quality control of subordinate legislation that is laid before the Scottish Parliament.

I want to assure you that the Scottish Government endeavours to lay legislation before the Parliament that meets the highest standards possible. To ensure this, the quality control processes for subordinate legislation requires a series of checks, including up to two levels review, typing and formatting checks and review by another lawyer outwith the drafting division. All of our lawyers also have access to an on-going training programme as a matter of course.

In preparation for passage of the EU (Withdrawal) Bill and the potential increase in the volume of instruments, my officials within the Scottish Government’s Legal Directorate will be reviewing quality control procedures.

Yours for Scotland,

JOE FITZPATRICK