

Theodore Huckle QC/CF  
Y Cwnsler Cyffredinol/Counsel General



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref

David Melding AM  
Chair, Constitutional Affairs  
and Legislation Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

20th November 2014

Dear Mr Melding,

During my appearance before the Constitutional and Legislative Affairs Committee on Monday 17 November, I referred to recent comments made in the House of Lords by the Parliamentary Under-Secretary of State for Health, the Earl Howe, when responding to a probing amendment tabled by Baroness Finlay of Llandaff seeking that the Medical Innovation Bill only come into force in Wales with the consent of the Assembly.

Those comments were as follows:

'The operative provisions of the [Medical Innovation] Bill relate entirely to modifying the law of tort, which is a reserved matter. The Bill can fairly and realistically be classified as relating to a non-devolved subject, and therefore not within the competence of the National Assembly for Wales.' HL Deb 24 Oct 2014 col 916

As I indicated to the Committee my disagreement with what had been represented to Parliament, I thought it was right to be clear about the precise terms of the disputed comment. I hope that this is helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'T.H.', written over a horizontal line.

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