

The Spice of Life

David Renton

CHAPTER 15

THE RENTON REPORT

In 1973, I was made Chairman of the first official enquiry since 1870 to consider how Acts of Parliament should be drafted. It was called the Committee on the Preparation of Legislation, but became known as The Renton Report. Among our members were distinguished lawyers and experienced politicians under my chairmanship: The Duke of Atholl, The Rt. Hon. Baroness Bacon, The Hon. Mr Justice Cooke, Sir Basil Engholm, Mr J A R Finlay, Sir John Gibson, Mr P O Henderson, Sir Noel Hutton, Mr K R Mackenzie, Sir Patrick Macrory and Mr Ewan Stewart.

Our statutes had become much too detailed and lengthy, mainly because they attempted to cover every hypothetical situation that might arise, instead of enacting broad statements of principle, which for centuries had been the usual practice. Of course legislation dealing with taxation or defining criminal penalties had always had to be detailed, but there was no need for that in most of our legislation. The Committee made 121 recommendations and conclusions, of which 89, if accepted, would have involved material change.

When our Report was debated in 1975 in each House of Parliament, it was welcomed. It soon became apparent, however, that Civil Servants and Parliamentary draftsmen did not want to have to

Page 116

define statements of principle, but wanted to cover every detailed situation which might arise. In the thirty years since then the drafting of Statutes has varied, but in recent years it has become usual to express too much hypothetical detail.

In 1978, the Statute Law Society produced a report on drafting, which did not have official authority and unfortunately ignored much of our advice.

END OF BAR PRACTICE

The Royal Commission, the two year's work on The Renton Report, and increased Parliamentary duties compelled me to retire from my bar practice in 1974, when I was sixty-six. Luckily the ancient rule that on retirement a barrister's fees are not taxed was still in operation! Having in thirty years become one of the most senior M.E's I was appointed, in the House of Commons, to the Committee of Privileges.

Note The above s an extract from Lord Renton's autobiography.