



DECC LEGAL GRADE 7 LAWYER RECRUITMENT SEPTEMBER 2015

DECC lawyers and their work – in their own words

JB

I joined DECC six months ago, having just moved to London from Ireland where I worked in both private practice and the energy regulator. I joined the Energy Efficiency & Fuel Poverty team in DECC.

My first few months in DECC were particularly interesting because the general election was taking place. The policy teams were busy keeping business going as usual while preparing for any change of government that might happen. When the new government took office, it was fascinating seeing the new policies being considered and prepared within DECC.

There was a lot of work for the legal team at this time. I have worked closely with policy colleagues to discuss the legalities of putting in place new policies, winding down old ones, and dealing with ongoing issues of continuing schemes. A broad range of law, from public and administrative law to contract law comes up on a daily basis. As always with energy law, Europe plays an important role.

My role so far has been advisory, though I expect to also be involved in drafting work over the next year. In my first few weeks I attended Parliament to watch my legal colleagues advise Ministers during a debate on a piece of legislation drafted by DECC. I have a feeling it won't be long before I am in that position!

On a day to day basis, I work closely with my policy colleagues on legal issues that arise in relation to energy efficiency schemes, especially around compliance, state aid and the legal risks involved in government decision making. This involves independent research, meetings and working as a team with policy colleagues to achieve innovative solutions to minimise legal risk.

As I am new to both DECC and English law, I have been keen to attend training. There is a wide range of training available both within DECC and across Whitehall in all forms – online talks, short hour-long lectures, half-day or day-long interactive sessions and even courses that last days. The broad range available has meant I can focus on what is most relevant to my work including European law, administrative law and state aid.



RP

I joined DECC three and a half years ago, having spent a year and half post-qualification in private practice. My first position within the Department was in the Infrastructure and Market Regulation team. From the outset, I worked on a range of high-profile matters, including some of the first cases seen by the Department under the Planning Act, new legislation to implement the Government's "best tariff" proposals and grant funding to support consumer switching schemes. All this work involved an interesting mix of legal areas, from domestic statute law, public administrative and European law.

In my current role, I am acting as legal coordinator for the current Energy Bill going through Parliament. The majority of the clauses as introduced cover recommendations of the Wood Review into UK offshore oil and gas recovery and regulation. As I write, the Bill is about to enter the 'Committee stage' in the House of Lords and officials are busily preparing the papers in advance of the debates, as well as further amendments and additions to the Bill.

Aside from the Department's policy-driven work streams, I have also worked on a range of European issues, including implementing a Directive requirement on carbon capture and storage (drafting required secondary legislation) and acting as the lead lawyer on an EU infraction case in relation to environmental consenting.

All in all, a fascinating portfolio!



KV

I came to the Department almost a year and a half ago, having previously been a lawyer at the Law Commission and an academic specialising in EU regulatory law.

In what seems the little time since joining, I have drafted two regulatory statutory instruments: one creating market manipulation and insider dealing criminal offences for the wholesale energy market; the other putting in place a cap on the amount of carbon that fossil fuel power plants can emit in a year. I have also been involved in further statutory instruments, some pretty long, granting development consent for a range of energy projects, from the first tidal lagoon generating station in the world to the largest offshore wind farms in the UK.

Days are varied, a wide range of technical questions can come up in a single day; for instance, on the devolution of onshore petroleum, the application of exemption from the provisions of an Act on the consenting of electricity lines, or on the environmental protection of harbour porpoises.

A day can include working in Parliament, either on statutory instruments with a Parliamentary process or Bill work; this is fast paced, and sometimes a little fraught, but exceedingly interesting. There is also some litigation work: a trip to the High Court sitting in North Wales for the judicial review of consent for a wind farm; the Court of Appeal on a different power station; and, a UN Committee in Geneva on the consultation requirements for a nuclear power station.



MC

I joined DECC three years ago, having trained in the City. I work in the climate change and consumers team, and previously worked in the infrastructure and market regulation team.

I have worked on a wide range of issues during my time so far at DECC. One large project that I have worked on was a programme to prevent disruption to national fuel supplies, which involved working with the fuel haulage industry and several different Government departments, and a really interesting mix of public law and commercial issues.

I have worked on three pieces of primary legislation since I started at DECC; I was responsible for a section in the Growth and Infrastructure Act 2013 and one in the Energy Act 2013, and I was the lead lawyer for a policy area in the Infrastructure Act 2015. Working on primary legislation is extremely interesting; one of the best aspects of the role is sitting in the officials' box in Parliament advising Ministers during the course of a debate. It is nerve-racking, but exciting to be part of the Parliamentary process.

I have also drafted several pieces of secondary legislation, including regulations on the ownership of energy transmission companies. Drafting is quite painstaking work, but very satisfying knowing that you are writing the law.

I have also been closely involved in European law issues, including acting as the lead lawyer on a case brought against the UK by the European Commission in relation to non-implementation of an energy directive. I am now working on the negotiations for a new EU Directive in relation to the EU Emissions Trading System, which is the EU's flagship climate change policy. This is a really interesting opportunity to see first-hand how European law is made.



LD

I have been working in DECC for three years now, having spent several years working at a City law firm. When I first joined the Department, I worked in the legal team advising on Electricity Market Reform and I have recently moved into the Clean Energy Team, principally advising on renewables schemes.

Having become increasingly specialised during my time in private practice, I have relished the opportunity to become involved in a wide range of legal issues, from advising on general public law issues to working on primary and secondary legislation, against a backdrop of energy and climate change law – a very interesting, and challenging, mix. Although the work is very different from private practice, I have found my prior experience in the private sector invaluable as commercial issues are relevant to a lot of the work we do in DECC.

There are also opportunities to become involved in cross-Government work and I am part of a group of lawyers which work together to coordinate human rights issues across Whitehall.

At the moment, I am currently leading on provisions in the Energy Bill 2015 relating to the closure of the Renewables Obligation to new onshore wind farms in Great Britain. This is a very fast-paced area of work and a typical day can involve providing legal advice on policy developments, working closely with policy colleagues to refine policy detail, instructing Parliamentary Counsel to draft Bill provisions, speaking to the Attorney General's Office about tricky legal issues, liaising with the Territorial Offices about devolution matters, briefing Ministers and attending debates in Parliament. So, all in all, it's an extremely varied and very interesting job!

Working as a lawyer in Government also provides the opportunity to get involved with drafting the law. In my time at DECC, I have worked on various pieces of secondary legislation and have drafted regulations, electricity licence modifications and statutory rules. This also usually entails providing support to Ministers when the secondary legislation is debated in Parliament. Hastily having to scribble notes to the Minister during the course of a debate can be a bit nerve-wracking, but it's also exciting to see the Parliamentary process in action.