Cyswllt Amgylchedd Cymru | Wales Environment Link

Consultation response: Senedd Cymru (Members and Elections) Bill

Deadline: 3 November 2023

Summary

Wales Environment Link (WEL) supports expanding the Senedd to ensure that scrutiny is thorough, detailed and more representative. Our views are informed by acting as a network of environmentally focused organisations, working on tackling the climate and nature emergency with policy makers and politicians. WEL has been operating since 1990[1], before and after devolution.
The third sector, particularly in the environment area, is generally low in capacity[2], and to have a Senedd also low in capacity makes it harder for our issues to be heard on and specialised in by individual MSs. MSs are required to undertake scrutiny of the Welsh Government on a large number of issues across a range of portfolios, meaning that the lesser understood issues or more specialist topics are understandably harder to give time to, even if they are also considered important.

More powers to scrutinise

We recognise that the Senedd has been given significantly more powers since 1999, and has transferred to a 'reserved powers' model from it's original 'conferred powers' model, and operates in many more areas than 24 years ago. Even before the change of devolution model, the 2004 Richard Commission recommended that its membership increase from 60 to 80 Assembly Members, necessary due to the "additional scrutiny workload".

It is concerning that Committee membership has decreased from 8 to 6 members. MSs have a myriad of topics and portfolios which they are expected to be across on a daily basis and heavily rely on the Research Service for briefing. Their high workload

[1] Our History – Wales Environment Link
[2] 96% of charities in the UK are small ones, with an income of less than £1 million.

may also make it harder for them to chair and attend existing, or instigate new Cross-Party Groups, which can be an excellent format for agreement to be established across different political parties and a helpful route to engage with experts and stakeholders directly.

As the powers of the Welsh Government and the Senedd evolve (e.g. as Counsel General told the Reform Bill Committee, Wales will likely need a Justice Minister in the next Senedd term), the capacity of the Senedd to scrutinize adequately across the full range of devolved matters will become further stretched.

At a time when we'll be seeing Welsh MP numbers decreasing from 40 to 32 in Westminster, greater representation in the Senedd could be perceived as a way to ensure adequate democratic representation for issues in Wales.

More civil service capacity is just as important

In the last few years, from the Environmental Governance Bill to designating Marine Conservation Zones, we have been told by Ministers that they want to take them forward as soon as they can. But are always struggling with civil service capacity, as well as Ministerial, and legal capacity and Senedd time to implement them properly. Whilst MSs are considering Senedd expansion, we would question whether a corresponding expansion in parts of the civil service under particular strain is also required. They are significantly less resourced than the UK Government civil service. It's extremely concerning if important policies - like environmental governance - are left behind because there simply aren't enough people to work on it.

It also makes them less able to respond to things like Proposed Member Bills in the Senedd. The Minister for Rural Affairs, Lesley Griffiths mentioned that civil service capacity was a concern and when the Food Bill came up, outlining to committee that work had consequently been stalled on a community food strategy - a Programme for Government commitment - a very real example of where work stops when too much is put on the same team of civil servants. She commented that "we only have the number of officials that we have, and you have to make the best use of them".

If the number of MS is increased, we suggest the capacity of the Welsh Government civil service should also be looked at.

People's Assemblies

Particularly in the environment movement, there are increasing calls for citizens to determine priorities for change directly. The UK-wide People's Assembly for Nature was formed to collectively agree on how to tackle the issues facing the UK's nature, finding common ground to create the People's Plan for Nature report. The Plan calls for nature to be considered in decision making at all levels, and for UK-wide and regional targets to increase biodiversity. It emphasises the need for more people to be involved in making the big decisions, including through the creation of a permanent Assembly for Nature. However, the success of such a permanent assembly would rely on adequate processes by which parliaments could take their conclusions into account.

These kinds of Assemblies are an interesting concept for a representative democracy and, as they come up with recommendations for governments to consider, are comparable to the Welsh Youth Parliament or Irish Citizens Assemblies. MSs should consider how Senedd reform could include this model in future years.

Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non-Governmental Organisations in Wales. WEL is a respected intermediary body connecting the government and the environmental NGO sector. Our vision is a thriving Welsh environment for future generations.

This paper represents the consensus view of a group of WEL members working in this specialist area. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation.

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