

Agenda – Reform Bill Committee

Meeting Venue:	For further information contact:
Committee Room 1, Senedd	Helen Finlayson
Meeting date: Wednesday 22 November 2023	Committee Clerk 0300 200 6565
Meeting time: 09.30	SeneddReform@senedd.wales

Private pre-meeting (09.15–09.30)

1 Introductions, apologies, substitutions, and declarations of interest

(09.30)

2 Senedd Cymru (Members and Elections) Bill: Evidence session with the Electoral Commission

(09.30–10.30)

(Pages 1 – 15)

Dame Elan Closs Stephens, Electoral Commissioner, Wales

Rhydian Thomas, Head of Electoral Commission, Wales

Tom Davies, Senior Policy Adviser, Electoral Commission, Wales

Supporting documents

Paper 1 Written evidence: Electoral Commission

Research Brief

Break (10.30 – 10.45)

3 Senedd Cymru (Members and Elections) Bill: Evidence session with the Local Democracy and Boundary Commission for Wales

(10.45 – 11.45)

(Pages 16 – 51)

Bev Smith, Chair, Local Democracy and Boundary Commission for Wales



Shereen Williams, Chief Executive, Local Democracy and Boundary
Commission for Wales

Supporting documents

Paper 2 Written evidence: Local Democracy and Boundary Commission for
Wales

Research Brief

4 Papers to Note

(11.45)

4.1 Additional information provided by the Electoral Reform Society Cymru following the evidence session on 9 November 2023

(Pages 52 – 73)

4.2 Letter to the Former Chair of the Committee on Senedd Electoral Reform regarding the Senedd Cymru (Members and Elections) Bill – 16 November 2023

(Pages 74 – 75)

4.3 Letter to the Local Government and Housing Committee regarding the Senedd Cymru (Members and Elections) Bill – 16 November 2023

(Pages 76 – 77)

5 Motion under Standing Order 17.42 (ix) to resolve to exclude the public for the remainder of the meeting

(11.45)

- 6 Senedd Cymru (Members and Elections) Bill: Consideration of evidence**
(11.45–11.55)
- 7 Senedd Cymru (Members and Elections) Bill: Technical briefing**
(11.55 – 12.00) (Pages 78 – 84)
Supporting document
Paper 3 Additional background briefing
- 8 Senedd Cymru (Members and Elections) Bill: Welsh Youth Parliament Focus Group – Draft note**
(12.00–12.05) (Pages 85 – 88)
Supporting document
Paper 4 Draft note
- 9 Forward work programme**
(12.05 – 12.15) (Pages 89 – 96)
Supporting document
Paper 5 Forward work programme

Reform Bill Committee consultation on Senedd Cymru (Members and Elections) Bill – Electoral Commission response

November 2023

Introduction

The Electoral Commission is the independent body which oversees elections and regulates political finance in the UK. We work to promote public confidence in the democratic process and ensure its integrity by:

- enabling the delivery of free and fair elections and referendums, focusing on the needs of electors and addressing the changing environment to ensure every vote remains secure and accessible
- regulating political finance – taking proactive steps to increase transparency, ensure compliance and pursue breaches
- using our expertise to make and advocate for changes to our democracy, aiming to improve fairness, transparency and efficiency

The Commission was set up in 2000 and reports to the Welsh, Scottish and UK parliaments.

Response overview

This response sets out our views on the Senedd Cymru (Members and Elections) Bill. We have responded to the provisions that are directly relevant to our work – there are some aspects which do not fall within our remit and where this is the case we have not commented.

We are committed to working with the Welsh Government, Senedd Commission and the electoral community in Wales to ensure that these reforms are delivered successfully ahead of the 2026 election. This will include producing guidance for electoral administrators, providing support for campaigners to comply with the law and enforcing the law if they don't, and running a public awareness campaign to ensure that voters understand the changes being introduced and know how to cast their vote.

We recommend that all legislation should be in place as early as possible – at least six months before it is required to be implemented or complied with by campaigners or

electoral administrators. This is a well-established principle of effective electoral administration that is widely supported by the electoral community. This should include primary legislation and any subsequent secondary legislation – in particular the significant changes to the National Assembly for Wales (Representation of the People) Order 2007 that will be needed ahead of the election. Ensuring that all legislation is clear as early as possible will allow sufficient time for us to prepare the required guidance and codes of practice, and for the electoral community to plan and prepare for implementation of the new system.

The Welsh Government will also need to ensure that electoral administrators are properly supported to deliver these reforms, including ensuring that any changes that are required to electoral management software systems are developed and resourced. Implementation of this Bill is likely to run in parallel with implementation of the Elections and Elected Bodies (Wales) Bill, expected legislation to introduce candidate gender quotas at Senedd elections, and ongoing work to deliver Elections Act 2022 provisions for reserved elections. Many electoral administrators in Wales have raised concerns about their capacity to deliver these multi-layered changes within an already complex environment, and the Welsh Government must ensure effective planning and communication with electoral administrators throughout, via forums such as the Wales Electoral Coordination Board, the Wales Electoral Practitioners Working Group and any future Electoral Management Board.

Finally, the Welsh Government must take steps to reform the increasingly complex legal framework underpinning the UK's electoral systems. The [2022 White Paper on Electoral Administration and Reform](#) set out an ambition to consolidate and increase the accessibility of devolved electoral law in Wales – something we have previously called for. The Welsh Government has indicated that the first step towards achieving this will be developing a more modern and accessible Conduct Order ahead of the 2026 election, and we will work to support these changes. The Welsh Government's focus should then turn to the wider consolidation of devolved electoral law.

We have set out some specific comments below on relevant clauses of the Bill.

Part 1: The Senedd and Welsh Ministers

Frequency of ordinary general elections

Clause 3 of the Bill would return the ordinary frequency of Senedd general elections to four-year cycles. The Welsh Government has indicated that these provisions have been included due to the repeal of the Fixed Term Parliaments Act 2011 (FTPA) in 2022, and the fact that Senedd terms were originally moved to five years in order to avoid a Senedd election and a UK parliamentary general election being held on the same day.

We do not take a view on the appropriate term lengths for elected representatives – this is ultimately a matter for the Senedd. However, we would like to draw the Committee's attention to an important technical point arising from the return to four-year Senedd terms.

As part of its [2022 White Paper on Electoral Administration and Reform](#), the Welsh Government sought views on whether principal and town and community councils should revert to four-year terms. This has not been included in the recent Elections and Elected

Bodies (Wales) Bill and does not appear to be something that the Welsh Government is currently planning to take forward.

If term lengths for principal and town and community councils do remain at five years, we would eventually reach a position in 2042 where a Senedd election and local elections would be due to take place on the same day. Section 37ZA of the Representation of the People Act 1983 prevents this from being able to happen, and in these circumstances Welsh ministers would be required to change the year of the local government elections by statutory instrument. The Welsh Government should consider clarifying its position in relation to holding Senedd and local elections in the same year.

Disqualification from being a Member of the Senedd or a candidate

Clause 6 would add a new disqualification criterion to Schedule 1A of the Government of Wales Act 2006, that someone who is not registered as a local government elector at an address in Wales would be unable to stand as a candidate or serve as a Member of the Senedd.

It is not yet clear how any enforcement of this new disqualification would work in practice, including whether Returning Officers (ROs) would be required to check if and where candidates are registered to vote, and at what point in the process this would take place. If checks were required, this would represent a deviation from the long-established common law approach of ROs taking nomination forms at face value.

There are further questions around the requirement for elected Members of the Senedd to remain on the local government register at an address in Wales in order to avoid becoming disqualified. These include how this ongoing disqualification criterion would be enforced and who would be responsible for doing so, although we expect this would be for the Senedd itself to monitor and enforce.

We will work with the Welsh Government as the Bill progresses through the Senedd to ensure that ROs are clear on what their responsibilities will be under these provisions.

Review of possible job-sharing arrangements

Clause 7 of the Bill would require the Llywydd, shortly after the next Senedd election takes place, to table a motion establishing a Senedd committee to carry out a review of possible job-sharing of relevant offices. This would include considering whether people should be able to jointly hold office as a Member of the Senedd.

If a motion tabled under clause 7 of the Bill is approved by the next Senedd, and a committee is established to consider these issues in greater detail, we will provide evidence and insight as required to help inform this work.

If the law were to be amended in the future to allow candidates to stand for election under a job-sharing arrangement, legislation relating to the form of nomination papers and the ballot paper would need to be amended. Consideration would also need to be given to a range of technical issues, including how this would work alongside the closed party list system and what would happen if one elected member in a job-sharing arrangement decided to stand down, became disqualified, or sought to change parties.

Part 2: Voting System at Senedd General Elections and Allocation of Seats

Voting system

Decisions about which voting system should be used for different elections are significant constitutional issues, and are matters for governments and parliaments, not for the Electoral Commission. Our role will be to ensure that voters understand the electoral system used so they can cast their vote in the way they intend, and that appropriate administrative planning is undertaken by ROs.

The introduction of any new electoral system poses potential risks around voter confusion, particularly in ensuring that people understand how to cast their vote as they intend. The electoral system proposed in the Bill would be familiar to those people who have previously voted in an election for the European Parliament in Wales. However, we would still expect to run an awareness campaign to inform voters about the change to the electoral system, alongside our usual campaign to encourage people in Wales to register to vote.

Part 4: Senedd Constituency Boundary Reviews

Senedd constituency boundary reviews

Part 4 of the Bill, along with Schedules 1 and 2, make provision for Senedd constituency boundary reviews to be carried out by the Democracy and Boundary Commission Cymru.

Schedule 1 covers the pairing exercise, to be known as the 2026 boundary review, that the Democracy and Boundary Commission Cymru will be required to carry out in order to create 16 Senedd constituencies using the 32 UK parliamentary constituencies in Wales. It sets out that the Commission must publish its final report on the 2026 boundary review, and send this to Welsh ministers, by 1 April 2025. Welsh ministers would then be required to lay the report before the Senedd and make regulations giving effect to the determinations in the report as soon as reasonably practicable.

These provisions will be important in ensuring there is sufficient time for electoral administrators, parties and campaigners to prepare for the election with certainty over what the constituency boundaries will be. If the regulations giving effect to the final report were to be delayed into the summer of 2025, this would risk leaving electoral administrators and political parties with insufficient time to plan and prepare for the election. It could also cause issues for Electoral Registration Officers in publishing their electoral registers in December 2025.

We also note that Schedule 2 of the Bill, which covers the boundary review process for general elections held after 1 April 2030, includes a requirement for the Democracy and Boundary Commission Cymru to:

- Seek to minimise the amount of change to the Senedd constituencies that exist on the review date, and
- Have regard to the inconveniences caused by making changes to the Senedd constituencies.

Given that there will already be significant changes to Senedd constituencies between the 2021 and 2026 elections, further changes between the 2026 and 2030 elections could present a risk of voter confusion, complexity for electoral administrators, challenges for parties adjusting accounting units to new constituencies, and difficulties for campaigners in managing their communications with voters. The above requirements should help to mitigate these risks.

Part 5: Review of Operation of Act etc. and General Provisions

Clause 19 of the Bill would provide for a Senedd committee to be established after the 2026 election in order to carry out a review of:

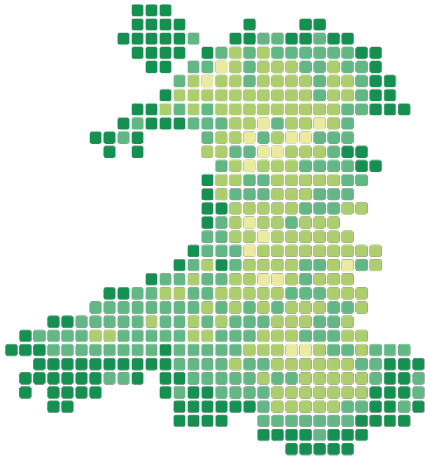
- the operation and effect of the provisions of Parts 1 and 2 of the Bill
- the extent to which the elements of a healthy democracy are present in Wales

It will be important to monitor the implementation of these new arrangements to ensure they are working as originally intended. We have a statutory duty to report on the administration of Senedd elections, and will publish a post-poll report in 2026 as part of this duty. This report will include evidence and analysis of the experiences of voters, campaigners and electoral administrators at the election. We will use this evidence, as well as any other insights we have on the implementation of Senedd reform, to support the work that will be taken forward under these provisions.

Document is Restricted

Agenda Item 3

LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES



Comisiwn Ffiniau a
Democratiaeth Leol
Cymru

Local Democracy and
Boundary Commission
For Wales

SENEDD CYMRU (MEMBERS AND ELECTIONS) BILL
REFORM BILL COMMITTEE – STAGE 1 SCRUTINY
CONSULTATION RESPONSE

3 November 2023

NOVEMBER 2023

FOREWORD

This document sets out the response of the Local Democracy and Boundary Commission for Wales (“**the Commission**”) to the Reform Bill Committee’s consultation in relation to the Senedd Cymru (Members and Elections) Bill introduced to the Welsh Parliament on 18 September 2023 (“**the Senedd Bill**”).

In this document the Commission first responds to specific questions posed to it by the Reform Bill Committee (“**the Committee**”) regarding the likely timetable for the review of Senedd constituencies for the first general election after 6 April 2026.

The Commission then provides detailed observations in relation to eight provisions in the Schedules to the Bill.

The Commission welcomes the opportunity to engage in the development of the Bill.

Beverley Smith

Chair

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The Commission welcomes correspondence and telephone calls in Welsh or English
Mae'r ddogfen hon ar gael yn y Gymraeg.

LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES

SENEDD CYMRU (MEMBERS AND ELECTIONS) BILL – CONSULTATION RESPONSE

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1. ABOUT THE COMMISSION

- 1.1 The Commission is an independent Welsh Government Sponsored Body. The Commission was established in 1974 under the terms of the Local Government Act 1972, and was known at the time as the Local Government Boundary Commission for Wales. The Commission was renamed by section 2 of the Local Government (Democracy) (Wales) Act 2013 (“**the 2013 Act**”).
- 1.2 At present, the Commission’s principal functions are to monitor and review the areas and electoral arrangements relevant to local government in Wales.
- 1.3 For this purpose, the Commission’s powers include reviewing the boundaries of principal council areas in Wales and the electoral arrangements for principal councils. The Commission also has certain powers in relation to reviews of community boundaries and community electoral arrangements, although the principal councils have primary responsibility for these reviews in their respective areas. The Commission’s principal powers and duties are set out in the 2013 Act.
- 1.4 The Senedd Bill includes provisions designed to rename the Commission as the Democracy and Boundary Commission Cymru, and to confer on the Commission the additional function of reviewing and determining the boundaries of Senedd constituencies. In principle, the Commission is in support of the Senedd Bill. Since the Senedd Bill was introduced to the Welsh Parliament, the Commission has engaged in scrutiny of its provisions, as well as initial preparations for the Commission’s anticipated new functions.

2. TIMING OF THE 2026 BOUNDARY REVIEW

- 2.1 The Commission has been asked to include in its written evidence an overview of the indicative dates for the review of Senedd constituencies for the first general election after 6 April 2026 which should include an estimated earliest date on which the review would be able to begin and the estimated dates of the first and second periods for representations.
- 2.2 When undertaking boundary reviews, the Commission sets out its policies and practice for the review in advance of publishing any proposals. For the first Senedd review, the document will be titled ‘Guide to the 2026 Review’ and will include information on how the Commission will create constituencies, the naming and designation of constituencies as well as factors it will take into account in the pairing exercise. Prior to publishing the guide, the Commission will hold meetings with key stakeholders which include qualifying political parties and existing Members of the Senedd. The Commission anticipates holding these meetings in **August 2024**.
- 2.3 The Commission will then publish its Initial Proposals that will trigger the first period of consultation that will last for 4 weeks. The Commission anticipates publishing its Initial Proposals in the **w/c 16 September 2024**.

- 2.4 Due to the level of public interest around the expansion of the Senedd, the Commission anticipates receiving a high number of representations. In order to ensure that the Commission receives relevant responses to its proposals, the Commission will set out specific questions as part of the consultation process. It will seek out respondents to provide an answer to whether they agreed to the pairings within the proposals and the reasoning behind the agreement or if they do not agree with the pairings, what alternative pairings should the Commission consider and the reasoning for the alternative pairings. The specific consultation questions will assist the Commission in its deliberations of the representations received.
- 2.5 Following the end of the first consultation period, the Commission will consider all representations received and prepare them for publication. The preparation process includes redacting identifiable information of private individuals and translation. The Commission will publish the representations received as soon as this process is completed and anticipates publishing the representations within the first two weeks of **December 2024**.
- 2.6 On the basis that changes should be made to the pairing arrangements, the Commission will then prepare a second report setting out the revised proposals. This will trigger the second period of consultation which will last for 4 weeks. The Commission intends to publish its second report **w/c 6 January 2025**.
- 2.7 The Commission will carry out the same processing procedures as outlined in 2.5 on the representations received in the second period of consultation and anticipates publishing the representations in early **March 2025**.
- 2.8 The Commission will consider all the representations received and prepare its final report. The Commission intends to publish its final report on the **31st March 2025**.
- 2.9 The Commission acknowledges the challenge of the compressed timescale for the 2026 Review, however as outlined in the Commission's Regulatory Impact Assessment submission, the Commission is confident that if the appropriate level of financial resource is provided, the review can be completed before 1 April 2025.

3. DETAILED OBSERVATIONS ON THE BILL

- 3.1 Schedule 1 to the Bill lays down detailed provisions for the Commission's conduct of the first review of Senedd constituencies, which must be completed by 1 April 2025 (known as "**the 2026 boundary review**"). Schedule 2 lays down detailed provisions for subsequent reviews of Senedd constituencies, including the second review which must be completed by 30 November 2028. The following sections of this document set out the Commission's detailed observations in relation to the provisions of those two Schedules.

Schedule 1 – publication of representations following the second period for representations

- 3.2 Schedule 1 lays down a process by which new Senedd constituencies will be created for the purposes of the first general election after 6 April 2026. That process involves the carrying out of the 2026 boundary review by the Commission, followed by the implementation of the outcome of that review by the Welsh Ministers by means of Regulations.
- 3.3 The 2026 boundary review involves a two-stage public consultation by the Commission, leading to the publication of a final report by the Commission containing determinations which the Welsh Ministers will implement.
- 3.4 At the first consultation stage, the Commission (having consulted the Welsh Language Commissioner) will publish an initial report containing the Commission's proposals for Senedd constituencies, then will invite representations in response to the initial report during a four-week period known as the "first period for representations". The Commission will then publish the representations it receives and consider whether, in the light of those representations, its proposals ought to be amended.
- 3.5 Thereafter, at the second stage of the Commission's public consultation process, the Commission will publish a second report setting out its proposals for Senedd constituencies, and will invite representations in response to that second report during a four-week period known as the "second period for representations".
- 3.6 Paragraph 7(5)(a) of Schedule 1 to the Bill currently provides that, at the end of the second period for representations, the Commission must "*publish any representations received*". The Commission suggests that, at this stage, its duty should be to publish representations received *during the second period for representations* only, rather than to publish *all representations received during the first and second periods for representations*. To this end, the Commission suggests that paragraph 7(5)(a) should be amended by the addition of the words "*during that period*" after the current wording and before the comma.
- 3.7 The principal reason for this suggestion is that, by this stage of the process, the Commission will already have published representations which it received during the first period for representations, since this is required by paragraph 7(1)(a). There seems to be little reason to require the Commission to *re-publish* at the end of the second period for representations any representations which it received during the *first* period for representations.
- 3.8 The Commission therefore **suggests that paragraph 7(5)(a) of Schedule 1 should be amended as follows** (by the addition of the text underlined):

"(a) publish any representations received during that period."

Schedule 1 – linkage with final report stage

3.9 As noted above, after the Commission has completed the two-stage consultation process required under Schedule 1, it is required to publish a final report setting out the Senedd constituencies for the first general election after 6 April 2026. The Commission’s determinations must then be implemented by the Welsh Ministers in regulations.

3.10 Paragraph 8(1) of Schedule 1 to the Bill currently lays down the obligation on the Commission to publish its final report in the 2026 boundary review by 1 April 2025. The Commission suggests that, as presently drafted, the wording of this provision does not obviously indicate that the publication of the final report follows the end of the second period for representations and the process of taking into account representations received during that second period.

3.11 The Bill may therefore be more readily understood if the text currently in paragraph 7(5) of Schedule 1 were moved into paragraph 8(1) (with consequential re-numbering of the subsequent subparagraphs in paragraph 8). This would create a more obvious linkage between the end of the second period for representations and the preparation and publication of the final report. It would also mirror the approach taken in paragraph 7(1) of Schedule 1, which creates an obvious linkage between the end of the first period for representations and the preparation and publication of the second report.

3.12 The Commission therefore suggests that **paragraph 7(5) of Schedule 1 should be moved into paragraph 8, with the consequence that the first two sub-paragraphs in paragraph 8 should read as follows** (with the changes shown underlined) and the subsequent sub-paragraphs in paragraph 8 should be re-numbered accordingly:

- “8 (1) At the end of the second period for representations the Commission must –
- (a) publish any representations received during that period¹,
 - (b) consider its proposals having regard to those representations, and
 - (c) if it is considering any changes to the proposals set out in the second report for the names of the Senedd constituencies for communication through the medium of Welsh –
 - (i) consult the Welsh Language Commissioner on the orthography of the proposed names, and
 - (ii) have regard to any representations made by the Commissioner.
- (2) After taking the steps in sub-paragraph (1), and before 1 April 2025, the Commission must –

¹ The reasons for this suggested addition are set out in paragraphs 3.4 to 3.7 above

- (a) *make and publish a final report, and*
- (b) *send it to the Welsh Ministers.*

Schedule 2 – principle of minimal change to Senedd constituencies

- 3.13 Schedule 2 lays down a process by which Senedd constituencies will be reviewed periodically by the Commission following the completion of the 2026 boundary review. Schedule 2 inserts new provisions into the Local Government (Democracy) (Wales) Act 2013 (the name of which will be changed by the Bill to the Democracy and Boundary Commission Cymru etc. Act 2013) (“**the 2013 Act**”) to this effect.
- 3.14 Under the new provisions, the Commission will be required to complete a review of Senedd constituencies during the period from 1 April 2025 to 30 November 2028, and thereafter once in every 8-year period.²
- 3.15 When it conducts a review pursuant to the new provisions in Schedule 2, the Commission’s task will be to determine whether the boundaries of the Senedd constituencies should change.³ The Commission’s determinations must be implemented by the Welsh Ministers by means of Regulations.⁴
- 3.16 The new provisions entail that, when the Commission determines whether the boundaries of the Senedd constituencies should change, the Commission:
- 3.16.1 must ensure that each constituency complies with the statutory electorate range – in other words, that its electorate is no less than 90% and no greater than 110% of the electoral quota (which in turn is one sixteenth of the electorate of Wales);
 - 3.16.2 must “*seek to minimise the amount of change*” to the Senedd constituencies as they exist at the start of the Commission’s review;
 - 3.16.3 must “*have regard to the inconveniences caused by making changes to the Senedd constituencies*”; and
 - 3.16.4 may have regard to other specific listed factors, namely (in broad summary) local government boundaries, geographical considerations and local ties.⁵

² Proposed new section 49A(1) and (5) of the 2013 Act, to be inserted by paragraph 1 of Schedule 2 to the Bill

³ Proposed new section 49A(2) of the 2013 Act, to be inserted by paragraph 1 of Schedule 2 to the Bill

⁴ Proposed new section 49J(1) of the 2013 Act, to be inserted by paragraph 1 of Schedule 2 to the Bill

⁵ Proposed new section 49C(1) to (3) of the 2013 Act, to be inserted by paragraph 1 of Schedule 2 to the Bill

3.17 The Commission considers that, in practice, the obligation to “*seek to minimise the amount of change*” to existing Senedd constituencies is likely to lead to a narrow focus on electorate numbers in its future reviews and thereby to bring about inferior outcomes in its determination of Senedd constituency boundaries.

3.18 For example, if an existing Senedd constituency has an electorate which is 110.5% of the electoral quota, the Commission will be required to reduce the size of that constituency in order to comply with its obligation to observe the statutory electorate range.⁶ The Commission’s general approach, as in its reviews of local government electoral boundaries under the existing terms of the 2013 Act, would be to seek to remove from the oversized constituency an existing local government electoral unit, such as a principal area electoral ward or a community.⁷ In choosing which electoral unit to remove, the Commission would have regard to geographical considerations and local ties. In this way, the Commission would reduce the oversized constituency in a manner which respected specific local considerations and would create new constituency arrangements which comply with the electoral quota, are easily identifiable geographically, and avoid the confusion which can result from different electoral units for different elections in the same area. The Commission’s general policy in local government electoral reviews is that it will depart from this approach, and “split” an existing local government electoral unit, only where it would otherwise be impossible to comply with the statutory electorate range.⁸

3.19 This approach may not be lawful in relation to Senedd constituencies if the Commission is subject to an obligation to “*seek to minimise the amount of change*” to the example Senedd constituency which has an electorate of 110.5% of the electoral quota. The *minimal change* required to bring that constituency within the statutory electorate range is the removal of 0.5% of the electorate from the constituency. In practice, it is very unlikely that there will be an existing local government electoral unit containing precisely that number of electors, which can be removed from the constituency in a manner which respects local ties and creates boundaries which are easily identifiable geographically. Instead, the Commission is likely to be forced to split an existing local government electoral unit, in a manner which may not respect specific local considerations. This would create a situation in which there are different electoral units for local government elections and Senedd elections (as well as Westminster parliamentary elections) which can generate confusion for voters, and is likely to represent an inferior outcome.

3.20 The Commission therefore **suggests that the obligation to “*seek to minimise the amount of change*” to Senedd constituencies be removed from the Bill** (by the deletion of the new proposed section 49C(2)(b)(i) of the 2013 Act). This is because, in the Commission’s view, the obligation to “*have regard to the inconveniences caused by making changes to the Senedd constituencies*”

⁶ See above, paragraph 3.16.1

⁷ This is also the normal practice of the Boundary Commission for Wales (“**BCW**”) in its reviews of Westminster parliamentary constituencies under the Parliamentary Constituencies Act 1986 – see for example BCW’s *Guide to the 2023 Review* at paragraphs 3.8 to 3.10 and 3.14 to 3.15 (available at <https://bcomm-wales.gov.uk/sites/bcomm/files/review/Guide%20to%20the%20Review%20E.pdf>)

⁸ This is also the general policy of the Boundary Commission for Wales – see above, fn. 7

contained in the new proposed section 49C(2)(b)(ii) of the 2013 Act will itself be sufficient to ensure that the Commission exercises due caution before determining that Senedd constituency boundaries should be changed; yet that provision will not risk generating the undesirable outcomes described above.

3.21 Alternatively, the Commission suggests that the new proposed section 49C(2)(b) is amended in order that the *desirability* of minimising change to Senedd constituencies is a relevant factor for the Commission’s consideration, alongside other factors. This will enable this factor to be taken into account, while avoiding placing an obligation on the Commission to split existing local government electoral units. The Commission therefore suggests that the new proposed section 49C(2)(b) be worded as follows (with changes shown underlined):

“in any event the Commission must have regard to –

- (i) the desirability of minimising the amount of change to the Senedd constituencies that exist on the review date, and*
- (ii) the inconveniences caused by making changes to the Senedd constituencies.”*

Schedule 2 – time management in public hearings

3.22 The review process laid down by the provisions in Schedule 2 of the Bill involves three stages of public consultation by the Commission. In summary, the Commission will first publish an initial report describing any changes it proposes to the Senedd constituencies, and invite representations in response to that report during the first period for representations. Second, the Commission will publish any representations it receives, then (during the second period for representations) both invite representations in response to those representations and hold public hearings. Third, the Commission must prepare and publish a second report describing any changes it proposes to the Senedd constituencies, and invite further representations during a final period for representations. After that final period for representations the Commission will prepare and publish its final report.

3.23 The public hearings which must be held during the second period for representations will be chaired by an individual appointed by the Commission, who will determine the procedure that is to govern the hearing.⁹

3.24 Under the new proposed section 49G(8) of the 2013 Act, the chair “*must allow representations to be made*” by qualifying political parties, as well as “*by any other person considered by the chair to have an interest in any of the proposals with which the hearing is concerned*”. However the new proposed section 49G(9)(c)

⁹ Proposed new section 49G(5) and (6) of the 2013 Act, to be inserted by paragraph 1 of Schedule 2 to the Bill

states that the chair may, “*if necessary because of shortage of time*”, determine that interested persons “*are not allowed to make representations*”.

3.25 The Commission considers that these provisions, as they are currently worded, risk raising expectations of an unqualified right to make representations at its public hearings, especially among lay readers who may not notice the qualification in section 49G(9)(c). The Commission therefore **suggests that the new proposed section 49G(8)(b) should be expressly qualified by a cross-reference to section 49G(9)**, for example by the insertion of the following underlined words:

“(8) *The chair must allow representations to be made –*

[...]

(b) (subject to section 49G(9)) by any other person considered by the chair to have an interest in any of the proposals with which the hearing is concerned.”

3.26 This mirrors the approach taken in paragraph 7(b) of Schedule 2A to the Parliamentary Constituencies Act 1986 (which was inserted into that Act by amending legislation in 2011), on which the new proposed section 49G of the 2013 Act has been modelled.

Schedule 2 – contents of the second report

3.27 Following the second period for representations, the Commission will be required to “*consider its proposals having regard to the representations made during the first and second periods for representations*”, and then to prepare and publish a second report setting out any changes which the Commission proposes to the boundaries and names of the Senedd constituencies.¹⁰

3.28 Specifically, the new proposed section 49H(2) of the 2013 Act provides that:

“the Commission must make a second report—

(a) setting out any representations [received in response to representations made during the first period for representations];

(b) containing records of the public hearings held under section 49G;

(c) setting out –

(i) the Commission’s proposals for change to the boundaries and names of the Senedd constituencies, or

¹⁰ Proposed new section 49H of the 2013 Act, to be inserted by paragraph 1 of Schedule 2 to the Bill

(ii) *if the Commission does not consider any change appropriate, a statement to that effect;*

(d) *specifying details of any changes the Commission has made to the proposals set out in the initial report, and an explanation of why those changes have been made.*”

3.29 As it is currently worded, this provision will require that the Commission’s second report *contains* any representations received by the Commission *and* records of the Commission’s public hearings. The second report is therefore likely to be a very large document, which may reduce its user-friendliness.

3.30 The Commission therefore suggests that, instead of forming part of the second report, the records of its public hearings and the representations it receives during the second period for representations should be published *separately* and *at the same time* as the second report, rather than forming part of that report. This would mirror section 5(4B) and (5) of the Parliamentary Constituencies Act 1986 (as inserted into that Act by amending legislation in 2011 and 2020), which provides for the publication of records of public hearings *alongside* any revised proposals report which the Boundary Commission for Wales publishes in the course of a review of Westminster parliamentary constituencies.

3.31 The Commission also suggests that, in order to avoid ambiguity, its obligation to publish representations at this stage of its review process should be expressly limited to those representations it received *during the second period for representations*. This reflects the express limitation imposed by section 49H(1)(a) on the Commission’s obligation to take representations into account.

3.32 The Commission therefore **suggests that the new proposed section 49H(2) and (3) of the 2013 Act should be worded as follows** (with changes shown by underlining):

“(2) *After taking the steps in subsection (1), the Commission must make a second report –*

(a) *setting out –*

(i) *the Commission’s proposals for change to the boundaries and names of the Senedd constituencies, or*

(ii) *if the Commission does not consider any change appropriate, a statement to that effect; and*

(b) *specifying details of any changes the Commission has made to the proposals set out in the initial report, and an explanation of why those changes have been made.*

- (3) *The Commission must—*
- (a) *publish the second report,*
 - (b) *publish any representations (of the kind described in section 49F(2)(b)) received during the second period for representations;*
 - (c) *publish records of the public hearings held under section 49G;*
 - (d) *inform any person it considers appropriate of how to access the report and the representations and records the Commission has published;*
 - (e) *invite representations on the report, including representations in respect of the representations made during the public hearings, and*
 - (f) *notify any person it considers appropriate of the final period for representations.”*

Schedule 2 – publication of representations following the final period for representations

3.33 The new proposed section 49H(5) of the 2013 Act will require that, at the end of the final period for representations, the Commission “*publish any representations received*”, “*consider its proposals having regard to those representations*”, and (in certain circumstances) consult further with the Welsh Language Commissioner. Thereafter the Commission will prepare and publish its final report.

3.34 The Commission suggests that its obligation to publish representations at this stage should be expressly limited to representations which it received *during the final period for representations*. This is because the Commission will already have published representations which it received during the first period for representations (at the end of that period – see proposed section 49F(1) of the 2013 Act) as well as representations which it received during the second period for representations (at the end of that period – see proposed section 49H(2)(a) as it is currently set out in Schedule 2, and further the suggestions in paragraphs 3.30 and 3.31 above). For the Commission to be required to publish, at the end of the final period for representations, all the representations it has received during the entirety of the review would therefore involve needless duplication of effort.

3.35 The Commission therefore **suggests that the new proposed section 49H(5)(a) of the 2013 Act be amended as follows** (with additions shown underlined):

“publish any representations received during that period [...]”.

Schedule 2 – linkage with final report stage

- 3.36 After the Commission has completed the three-stage public consultation process required by the provisions contained in Schedule 2, the Commission will be required to publish a final report setting out any changes to be made to the Senedd constituencies. Any changes set out in the Commission’s final report must then be implemented by the Welsh Ministers by means of regulations.
- 3.37 The obligation to publish the final report is currently laid down by the new proposed section 49I(1) in the 2013 Act. The Commission suggests that, as that provision is presently drafted, it does not obviously indicate that the publication of the final report follows the end of the final period for representations and the process of taking into account representations received during that period.
- 3.38 The Bill may therefore be more readily understood if the text currently in the new proposed section 49H(5) were moved into section 49I(1) (with consequential re-numbering of the subsequent subsections in section 49I). This would mirror the approach taken in the new proposed sections 49F(1) and 49H(1), which create obvious linkages with previous stages in the consultation process.
- 3.39 The Commission therefore suggests that the new proposed section 49H(5) of the 2013 Act **should be moved into section 49I(1), with the consequence that the first two subsections in section 49I should read as follows** (with the changes shown underlined) and the subsequent subsections in section 49I should be re-numbered accordingly:

- “49I (1) At the end of the final period for representations the Commission must –
- (a) publish any representations received during that period¹¹,
- (b) consider its proposals having regard to those representations, and
- (c) if it is considering any changes that were not set out in the second report to the names of the Senedd constituencies –
- (i) consult the Welsh Language Commissioner on the orthography of the proposed names for communication through the medium of Welsh, and
- (ii) have regard to any representations made by the Commissioner.
- (2) After taking the steps in subsection (1), before 1 December 2028, and before 1 December every eighth year after that, the Commission must –
- (a) make and publish a final report, and

¹¹ The reasons for this suggested addition are set out in paragraph 3.34 above

(b) send it to the Welsh Ministers.”

Schedule 2 – contents of the final report

3.40 The new proposed section 49I(2) of the 2013 Act (which will be inserted by paragraph 1 of Schedule 2 to the Bill) provides that the Commission’s final report in a review of Senedd constituencies must:

“(a) *either –*

- (i) set out the details of any changes that are required to be made to the Senedd constituencies, or*
- (ii) state that no alteration is required to be made to the Senedd constituencies”.*

3.41 The new proposed section 49I(3) further specifies that, if changes are to be made to the boundaries of Senedd constituencies, the Commission’s final report must set out (among other things) *“the boundaries of the Senedd constituencies that are to be changed”*, as well as the names of those constituencies.

3.42 The new proposed section 49J(1) then provides that *“[w]here a final report sets out changes that are required to be made to the Senedd constituencies, the Welsh Ministers must make regulations giving effect to the determinations in the Commission’s final report”*.

3.43 The Commission considers that, as a result of these provisions, when regulations are made by the Welsh Ministers under section 49J, those regulations will not lay down a full new set of Senedd constituencies. Instead those regulations will simply make amendments to existing constituency arrangements, such as are necessary to give effect to the changes set out in the Commission’s final report. This appears to be the case because:

3.43.1 the regulations will simply *give effect to determinations in the Commission’s final report*;¹² and

3.43.2 the final report will *set out the details of any changes that are required to be made to the Senedd constituencies*, and will describe the boundaries and names of the Senedd constituencies *that are to be changed*, as is required by the new proposed provisions.¹³

¹² See above, paragraph 3.42

¹³ See above, paragraphs 3.40 and 3.41

- 3.44 This limitation in the scope of regulations made under section 49J(1) has knock-on effects for the Bill more widely. For example, clause 2 of the Bill would amend the Government of Wales Act 2006 in such manner as to define Senedd constituencies as “*the constituencies specified in regulations under section 49J*”, once a first set of regulations is made under that provision (with regulations made following the 2026 boundary review having effect for this purpose only *until* the first set of regulations is made under section 49J). This mechanism perhaps neglects the fact that the first set of regulations under section 49J will not necessarily define a complete set of Senedd constituencies for Wales (but rather are likely simply to amend arrangements made following the 2026 boundary review) – so that the first set of regulations under section 49J cannot be used as the sole reference point for Senedd constituencies.
- 3.45 A similar concern affects paragraph 1(b) of Schedule 1 to the Bill, as well as the definition of “Senedd constituency” in the new proposed section 49L(1) of the 2013 Act (inserted by section 1 of Schedule 2 to the Bill) and the transitional provision in paragraph 3 of Schedule 2 to the Bill.
- 3.46 The Commission suggests that this problem can be most easily overcome if the Commission is required to set out a *full set* of Senedd constituencies for Wales in its final report following a review under the new provisions in the 2013 Act. On this basis, when the Welsh Ministers make regulations under section 49J “*giving effect to the determinations in the Commission’s final report*”, those regulations *would* lay down a complete new set of Senedd constituency arrangements. This would resolve the problems referred to in paragraphs 3.44 to 3.45 above, and would avoid the need for cross-referencing against older regulations in order to arrive at a complete overview of the Senedd constituencies.
- 3.47 This proposed approach reflects the wording of section 3(1)(a) of the Parliamentary Constituencies Act 1986, which governs the content of reports prepared by the Boundary Commission for Wales following its reviews of Westminster parliamentary constituencies under that Act.
- 3.48 The Commission **therefore suggests that the new proposed section 49I(2)(a) of the 2013 Act is amended as follows** (with new wording shown underlined):

“(2) *The final report must –*

(a) either –

- (i) set out the constituencies into which Wales should be divided for the purposes of the election of Members of the Senedd; or*
- (ii) state that no alteration is required to be made to the Senedd constituencies [...].*

Summary – the Commission’s suggested modifications of the Bill

3.49 First, the Commission **suggests that paragraph 7(5)(a) of Schedule 1 should be amended as follows** (by the addition of the text underlined):

“(a) publish any representations received during that period.”

3.50 Second, the Commission suggests that **paragraph 7(5) of Schedule 1 should be moved into paragraph 8 of Schedule 1, with the consequence that the first two sub-paragraphs in paragraph 8 should read as follows** (with changes shown underlined) and the subsequent sub-paragraphs in paragraph 8 should be re-numbered accordingly:

“8 (1) At the end of the second period for representations the Commission must –

(a) publish any representations received during that period¹⁴.

(b) consider its proposals having regard to those representations, and

(c) if it is considering any changes to the proposals set out in the second report for the names of the Senedd constituencies for communication through the medium of Welsh –

(i) consult the Welsh Language Commissioner on the orthography of the proposed names, and

(ii) have regard to any representations made by the Commissioner.

(2) After taking the steps in sub-paragraph (1), and before 1 April 2025, the Commission must –

(a) make and publish a final report, and

(b) send it to the Welsh Ministers.”

3.51 Third, the Commission **suggests that the obligation to “seek to minimise the amount of change” to Senedd constituencies be removed from the Bill** (by the deletion of the new proposed section 49C(2)(b)(i) of the 2013 Act from paragraph 1 of Schedule 2 to the Bill). **Alternatively, the Commission suggests that the new proposed section 49C(2)(b) is amended in order that the desirability of minimising change to Senedd constituencies is a relevant factor for the Commission’s consideration, alongside other factors**, so that the new proposed section 49C(2)(b) is worded as follows (with changes shown underlined):

¹⁴ This addition of three words is the same amendment suggested in paragraph 3.49 above

“in any event the Commission must have regard to –

- (i) the desirability of minimising the amount of change to the Senedd constituencies that exist on the review date, and*
- (ii) the inconveniences caused by making changes to the Senedd constituencies.”*

3.52 Fourth, the Commission **suggests that the new proposed section 49G(8)(b) in the 2013 Act should be expressly qualified by a cross-reference to section 49G(9)**, for example by the insertion of the following underlined words:

“(8) The chair must allow representations to be made –

[...]

(b) (subject to section 49G(9)) by any other person considered by the chair to have an interest in any of the proposals with which the hearing is concerned.”

3.53 Fifth, the Commission **suggests that the new proposed section 49H(2) and (3) of the 2013 Act should be worded as follows** (with changes shown by underlining):

“(2) After taking the steps in subsection (1), the Commission must make a second report –

(a) setting out –

(j) the Commission’s proposals for change to the boundaries and names of the Senedd constituencies, or

(ii) if the Commission does not consider any change appropriate, a statement to that effect; and

(b) specifying details of any changes the Commission has made to the proposals set out in the initial report, and an explanation of why those changes have been made.

(3) The Commission must—

(a) publish the second report,

(b) publish any representations (of the kind described in section 49F(2)(b)) received during the second period for representations;

(c) publish records of the public hearings held under section 49G;

- (d) *inform any person it considers appropriate of how to access the report and the representations and records the Commission has published;*
- (e) *invite representations on the report, including representations in respect of the representations made during the public hearings, and*
- (f) *notify any person it considers appropriate of the final period for representations.”*

3.54 Sixth, the Commission **suggests that the new proposed section 49H(5)(a) of the 2013 Act be amended as follows** (with additions shown underlined):

“publish any representations received during that period [...]”.

3.55 Seventh, the Commission suggests that the new proposed section 49H(5) of the 2013 Act **should be moved into section 49I(1), with the consequence that the first two subsections in section 49I should read as follows** (with the changes shown underlined) and the subsequent subsections in section 49I should be re-numbered accordingly:

“49I (1) At the end of the final period for representations the Commission must –

- (a) publish any representations received during that period¹⁵,*
- (b) consider its proposals having regard to those representations, and*
- (c) if it is considering any changes that were not set out in the second report to the names of the Senedd constituencies –*
 - (i) consult the Welsh Language Commissioner on the orthography of the proposed names for communication through the medium of Welsh, and*
 - (ii) have regard to any representations made by the Commissioner.*

(2) After taking the steps in subsection (1), before 1 December 2028, and before 1 December every eighth year after that, the Commission must –

- (a) make and publish a final report, and*
- (b) send it to the Welsh Ministers.”*

3.56 Eighth, the Commission **suggests that the new proposed section 49I(2)(a) of the 2013 Act is amended as follows** (with new wording shown underlined):

¹⁵ This addition of three words is the same amendment suggested in paragraph 3.54 above

“(2) *The final report must –*

(a) either –

- (i) set out the constituencies into which Wales should be divided for the purposes of the election of Members of the Senedd; or*
- (ii) state that no alteration is required to be made to the Senedd constituencies [...]”.*

Document is Restricted

Agenda Item 4.1

Welsh Parliament
Reform Bill Committee

Additional information provided by the Electoral Reform Society Cymru following the evidence session on 9 November 2023:

- Modelling the potential outcomes of legislative gender quotas for Senedd elections
- Example of a letter sent to voters in Estonia providing information before elections.





- Electoral
- Reform
- Society
Cymru

Modelling the potential outcomes of legislative gender quotas

Approach to modelling LGQs

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Dual approach:

- **Random election results constrained by the bounds of Senedd Reform**
 - **16 constituencies**
 - **6 seats in each**
- **Modelled election results based on 2021 Senedd regional list votes to allocate seats to parties in each new constituency**

Vertical Zipping

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- **Adjacent candidates going down a party list may not be of the same gender**
- **Other names for vertical zipping include rank or placement mandate and zebra system**
- **Many countries use vertical zipping in their LGQ including: Bolivia, Costa Rica, Ecuador, France, Kenya, Republic of Korea, Lesotho, Libya, Mexico, Nicaragua, Senegal, Tunisia and Zimbabwe**

Position on list	Example 1	Example 2	Example 3
1	F	M	F
2	M	F	N
3	F	M	F
4	M	F	M
5	F	M	F
6	M	F	M

F – female, M – male, N – non-binary

Horizontal Zipping

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- **Horizontal zipping is more complex as there are several ways to zip party lists horizontally, but in essence it refers to alternating genders at the top of the list so that the first seat isn't always won by the same gender across the available constituencies**
- **This could be pre-specified by an electoral management board or similar and dictated to the parties**
- **Or parties could decide which candidates to put on top of the list where**

Constituency	Example 1	Example 2	Example 3
Area 1	F	M	F
Area 2	M	M	N
Area 3	F	M	F
Area 4	M	F	M
Area 5	F	F	F
Area 6	M	F	M

F – female, M – male, N – non-binary

Horizontal Zipping

- This variability in approaches means outcomes could be different under different forms of horizontal zipping
- Countries that use horizontal (and vertical) zipping in their LGQs include Mexico, Costa Rica, Bolivia and Ecuador
 - Some require that women must be placed in 'winnable' seats based on the parties' results at the last election
- Latin America is leading in this element of quota design

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Constituency	Example 1	Example 2	Example 3
Area 1	F	M	F
Area 2	M	M	N
Area 3	F	M	F
Area 4	M	F	M
Area 5	F	F	F
Area 6	M	F	M

F – female, M – male, N – non-binary

Random election methods

Pack Page 58

- 20 iterations, providing 20 sets of election results per number of parties winning seats
- Random number generator used to generate election results with following settings:
 - Sets of numbers per line specified between 4 – 6 representing the number of ‘parties’ winning seats in a given set of elections
 - Each individual number could vary between 0 – 6 (the minimum and maximum numbers of seats a ‘party’ could win in any given constituency) and all numbers in a given line had to sum to 6 (i.e. the number of seats available in any constituency)
 - 16 lines of numbers were produced in each iteration reflecting the 16 constituencies
- Different approaches to horizontal zipping (the alternating of genders at the top of the list across constituencies) were then applied to these election results
- Under all scenarios there was always vertical zipping down party lists

Random election example results

4 Party

Constituency	Seats won			
	Party A	Party B	Party C	Party D
1	3	0	2	1
2	1	0	0	5
3	0	3	1	2
4	3	1	2	0
5	1	3	2	0
6	4	0	1	1
7	1	3	2	0
8	0	3	2	1
9	3	0	1	2
10	2	4	0	0
11	0	0	4	2
12	3	2	0	1
13	0	0	5	1
14	3	0	1	2
15	0	2	1	3
16	0	4	1	1

5 Party

Constituency	Seats won				
	Party A	Party B	Party C	Party D	Party E
1	0	2	0	1	3
2	0	5	0	1	0
3	2	0	1	3	0
4	0	1	3	0	2
5	0	2	4	0	0
6	1	2	2	1	0
7	0	1	0	5	0
8	0	1	3	2	0
9	4	2	0	0	0
10	1	3	1	0	1
11	2	0	2	1	1
12	0	2	0	0	4
13	0	1	0	0	5
14	1	0	3	1	1
15	0	2	1	3	0
16	2	1	3	0	0

6 Party

Constituency	Seats won					
	Party A	Party B	Party C	Party D	Party E	Party F
1	2	4	0	0	0	0
2	0	1	0	3	0	2
3	1	0	0	0	5	0
4	3	0	2	0	1	0
5	0	0	2	0	3	1
6	2	1	1	1	1	0
7	5	1	0	0	0	0
8	1	0	0	2	3	0
9	2	0	1	0	3	0
10	1	0	0	3	2	0
11	0	1	0	5	0	0
12	0	3	2	0	0	1
13	0	5	1	0	0	0
14	1	0	1	2	1	1
15	1	1	1	1	2	0
16	3	0	2	0	0	1

Random election LGQ approaches

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No horizontal zipping:

- Men on top of all candidate lists across all constituencies
- Women on top of all candidate lists across all constituencies

Party specified horizontal zipping:

- Women on top of candidate lists in constituencies where they will win proportionally less seats (0, then 2, 4, 6)
- Combinations of different numbers of parties placing women on top of lists in constituencies where they will win proportionally more seats, less seats and pre-specified ordering
- Women on top of candidate lists in constituencies where they will win proportionally more seats (1 then 3, 5)

System mandated horizontal zipping:

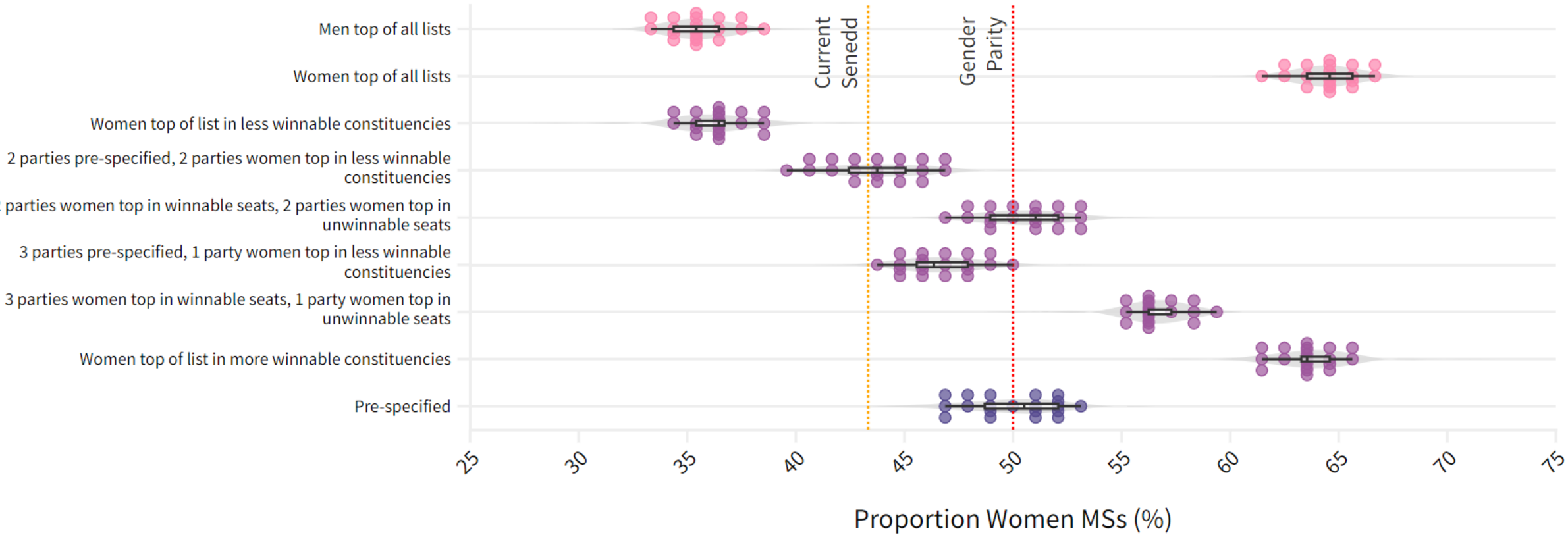
- Pre-specified, parties are told who to put on top of lists where with genders alternating across constituencies in a strict way

Random election modelling results

4 party random election results

Horizontal Zipping ● System specified ● Party specified ● None

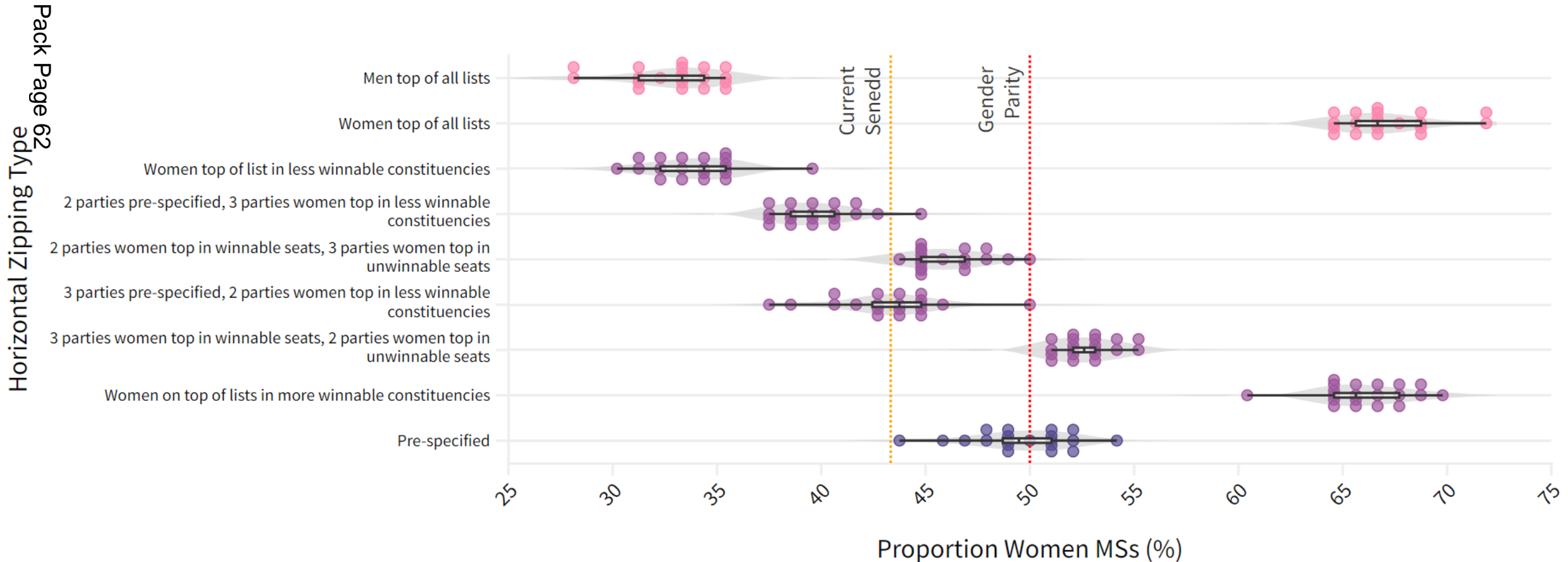
Horizontal Zipping Type
Pack Page 61



Random election modelling results

5 party random election results

Horizontal Zipping ● System specified ● Party specified ● None

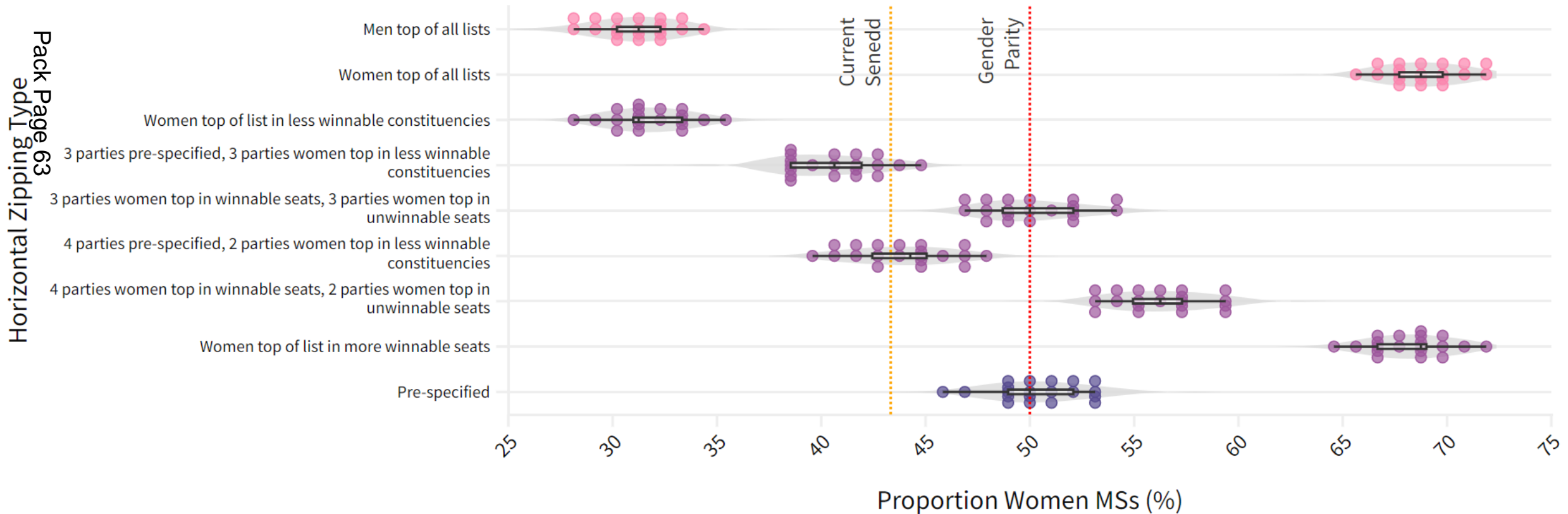


Random election modelling results

6 party random election results

Horizontal Zipping ● System specified ● Party specified ● None

Horizontal Zipping Type
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Conclusions from random election LGQ modelling

Pack Page 64

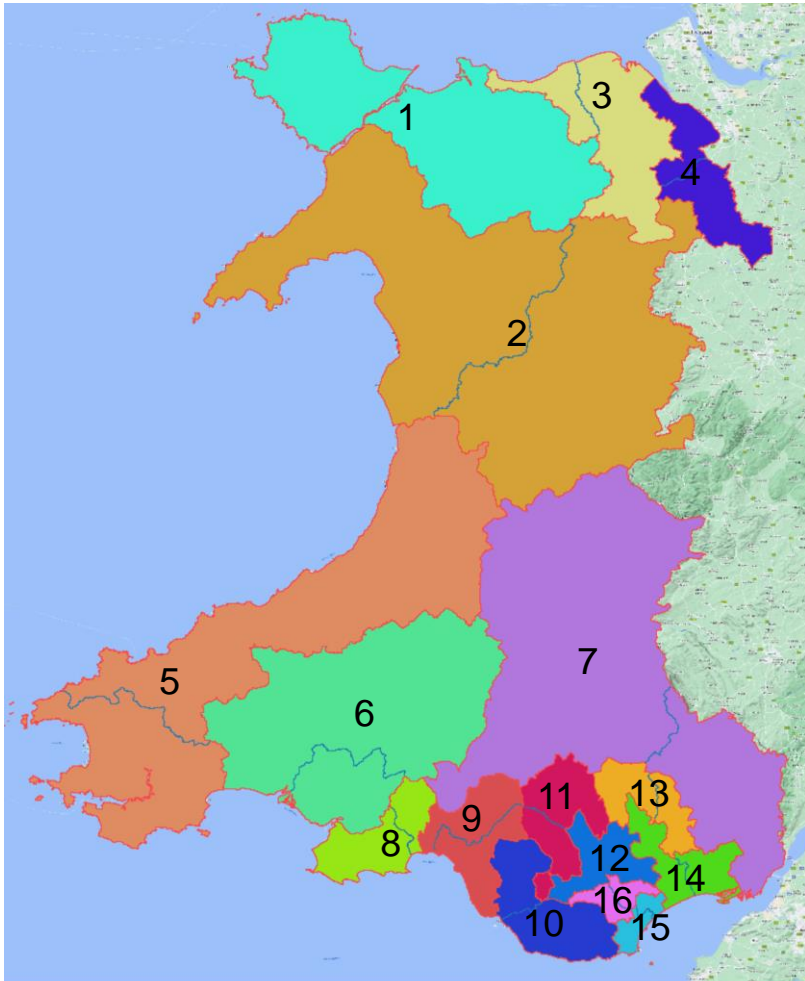
- **Wide range of outcomes from different horizontal zipping methods**
- **Some methods produce results that are less balanced than the current Senedd**
- **No approach guarantees exact parity across different election result iterations**
- **Number of parties winning seats in a given election also affects outcomes**

Modelled election results post-Senedd Reform - Methods

- **Caveats: all results are estimates based on the data available but cannot be considered accurate predictions of future election results**
- **Regional list votes from the 2021 Senedd elections were used as a base for the modelling**
- **Votes from the 40 current constituencies were projected onto the new 32 constituencies weighted using the proportions of electorate within each new constituency from the boundary commission reports**
- **The 32 constituencies were then paired into 16 new Senedd constituencies and votes summed across these pairings**
- **Seats were allocated to each party using the D'Hondt method in each of these 16 constituencies**

Modelled new constituency boundaries

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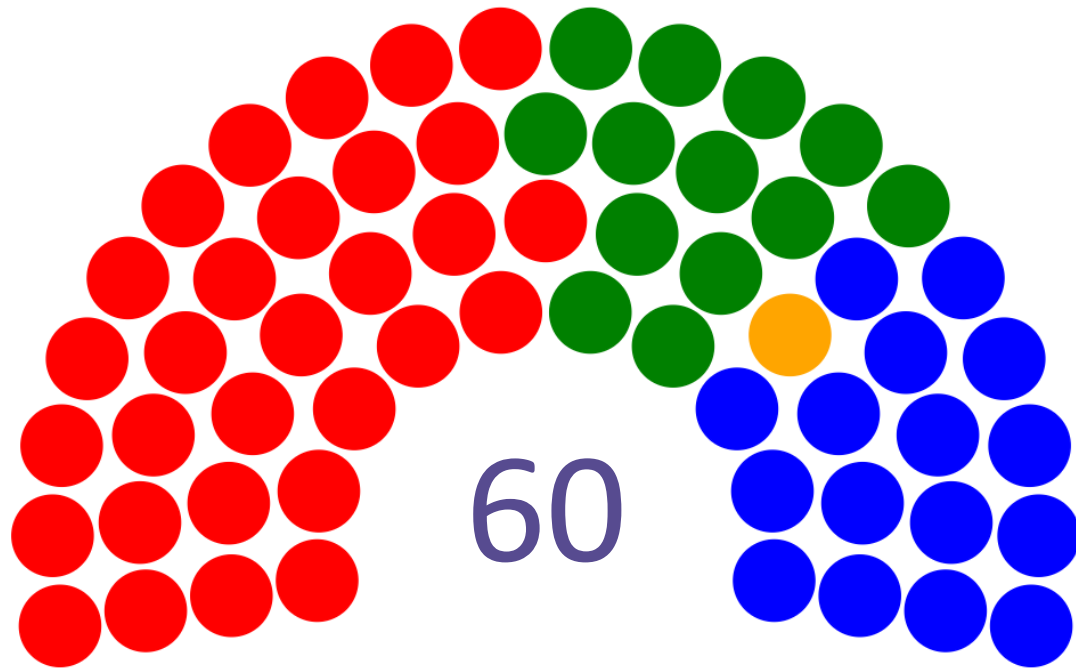


#	Constituency 1	Constituency 2
1	Bangor Aberconwy	Ynys Môn
2	Dwyfor Meirionnydd	Montgomeryshire and Glyndwr
3	Clwyd East	Clwyd North
4	Alyn and Deeside	Wrexham
5	Ceredigion Preseli	Pembrokeshire Mid and South
6	Carmarthen	Llanelli
7	Monmouthshire	Brecon, Radnor and Cwm-tawe
8	Gower and Swansea West	Swansea Central and North
9	Aberafan Porthcawl	Neath and Swansea East
10	Bridgend	Vale of Glamorgan
11	Merthyr Tydfil and Upper Cynon	Rhondda
12	Caerphilly	Pontypridd
13	Blaenau Gwent and Rhymney	Torfaen
14	Newport East	Newport West and Islwyn
15	Cardiff East	Cardiff South and Penarth
16	Cardiff North	Cardiff West

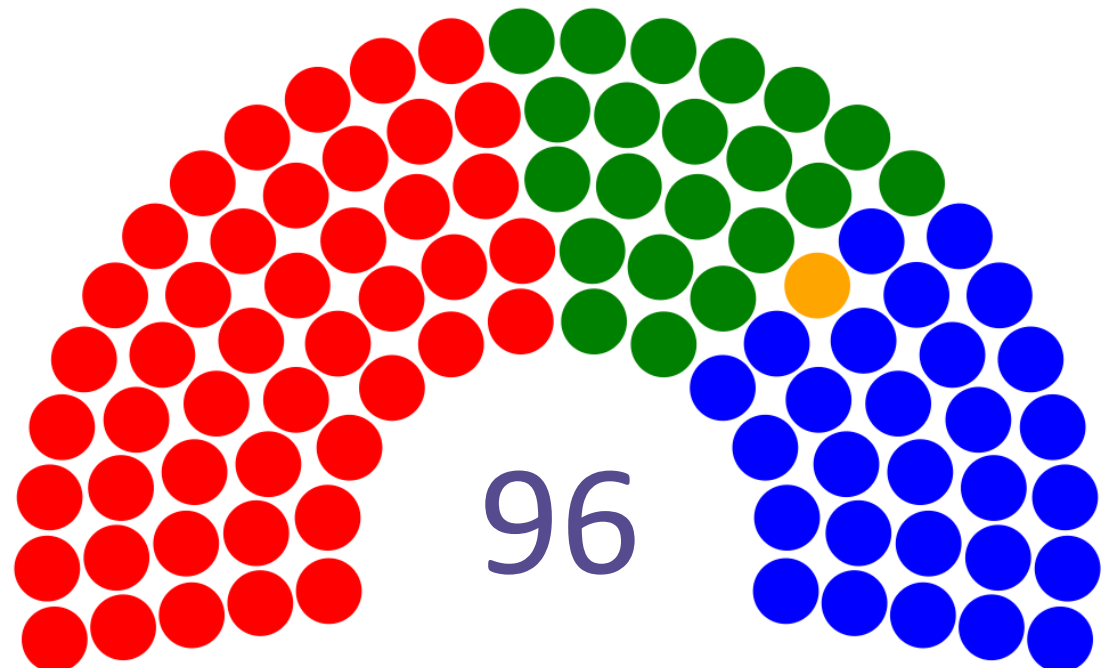
Modelled election results post-Senedd Reform - Results

Party	Number of seats	% Seats	% Votes (total across all constituencies)
Welsh Labour	46	48%	36%
Welsh Conservatives	28	29%	25%
Plaid Cymru	21	22%	21%
Welsh Liberal Democrats	1	1%	4%

Senedd 2021 results Senedd Reform model



Senedd 2021 results Senedd Reform model



Party	Senedd 2021 results	Senedd Reform model	Seat change
● Welsh Labour	30	46	↑ 16
● Plaid Cymru	13	21	↑ 8
● Welsh Liberal Democrats	1	1	0
● Welsh Conservatives	16	28	↑ 12

Modelled election LGQ approaches

No horizontal zipping:

- Men on top of all candidate lists across all constituencies
- Party specific % of women on top of lists based on candidate order for regional list in 2021 Senedd elections – placed in both more winnable and less winnable areas
- Women on top of all candidate lists across all constituencies

Party specified horizontal zipping:

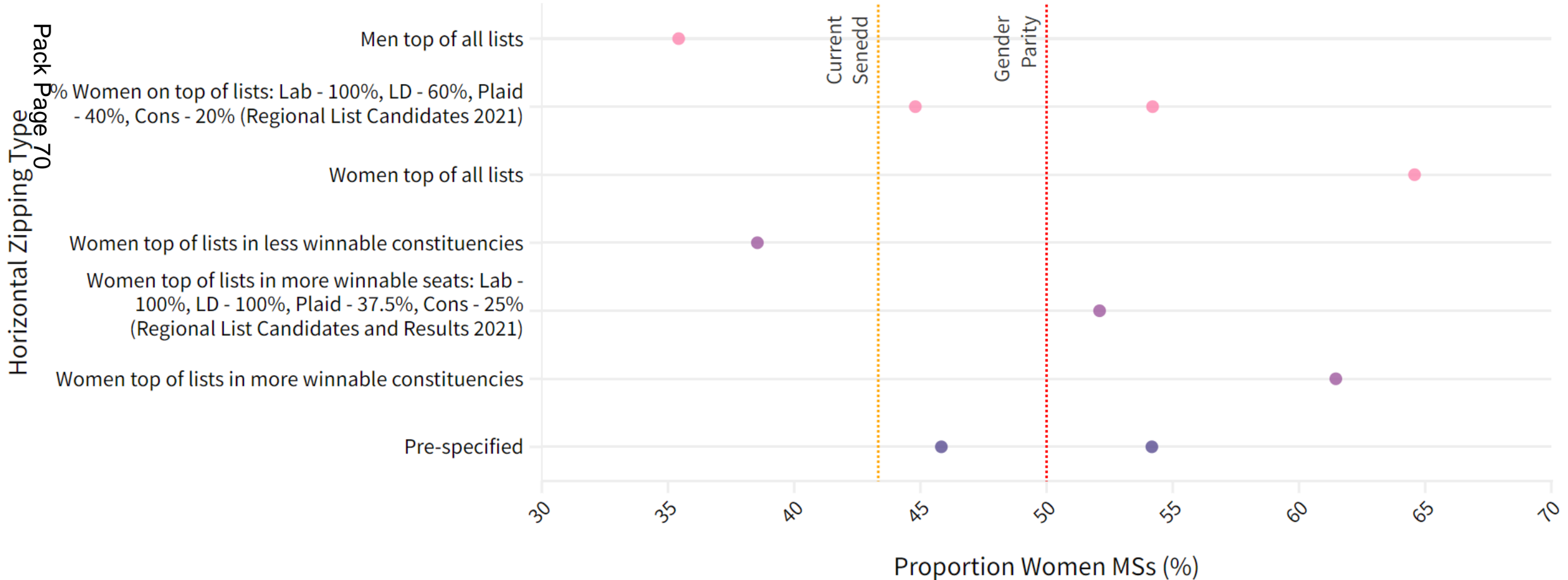
- Women on top of candidate lists in constituencies where they will win proportionally less seats (0, then 2, 4, 6)
- Party specific % of women on top of candidate lists in more winnable constituencies based on regional list results from 2021 Senedd elections
- Women on top of candidate lists in constituencies where they will win proportionally more seats (1 then 3, 5)

System mandated horizontal zipping:

- Pre-specified, parties are told who to put on top of lists where with genders alternating across constituencies in a strict way

Modelled election LGQ outcomes

Horizontal Zipping ● System Specified ● Party Specified ● None



Conclusions from modelled election LGQ outcomes

- Range of outcomes based on zipping method
- Vertical zipping only could produce proportions of women MSs as low as 35.4% if men are placed at the top of candidate lists by all parties across all constituencies
- Mandating horizontal, as well as vertical zipping improves outcomes could still be as low 38.5% women MSs if women are placed on top of lists in less winnable areas
- Strict pre-specified horizontal zipping produces outcomes from 46 – 54% but may not be possible under current competencies
- Even if vertical and horizontal zipping are mandatory then parties may still play a huge role in determining the outcomes through where individuals are placed on top of the list



ELECTIONS INFORMATION SHEET

GIVEN NAME SURNAME

Address

NB! Information sheets are sent to voters by e-mail. You have been sent a paper copy, as the Population Register does not know your e-mail address. In order to give your e-mail address, please go to rahvastikuregister.ee.

NB! If this person does not live at this address, the owner of the dwelling can contact the local government to rectify the data or you can give notice of it at rahvastikuregister.ee.

WHICH ELECTORAL DISTRICT CAN I VOTE IN?

Rural municipality/city: Electoral district No. - description.

WHO CAN I VOTE FOR?

You can view the candidates of your electoral district at valimised.ee.

The lists are also available at all the voting rooms during the voting period (11 to 17 October).

WHEN AND HOW CAN I VOTE?

PRE-ELECTION DAYS						ELECTION DAY	
Mon 11 Oct	Tue 12 Oct	Wed 13 Oct	Thu 14 Oct	Fri 15 Oct	Sat 16 Oct	Sun 17 Oct	
E-VOTING							
<p>You can vote at valimised.ee.</p> <p>Voting starts at 09:00 on 11 October and ends at 20:00 on 16 October. You can vote round the clock.</p> <p>In order to vote, you need a computer with an Internet connection and your ID card or Mobile ID with PIN codes.</p>						<p>No e-voting is available If you wish, you can change your previously given e-vote on the spot in the voting room.</p>	
VOTING IN A VOTING ROOM							
<p>You can vote in <u>all</u> the voting rooms open at that time all across Estonia</p> <p>12:00 to 20:00</p> <p>Information about all the voting rooms in Estonia is available at https://jsk.valimised.ee/.</p>			<p>You can <u>only</u> vote in the voting rooms of your electoral district (see overleaf ↗)</p> <p>12:00 to 20:00</p>				<p>09:00 to 20:00</p>
VOTING AT HOME WITH A BALLOT BOX							
<p>You cannot vote at home with a ballot box.</p>			<p>You can vote at home only with a ballot box ordered to your home (see overleaf ↗)</p> <p>09:00 to 20:00</p>				

VOTING ROOMS OF YOUR ELECTORAL DISTRICT FOR VOTING ON THE SPOT

WHERE CAN I VOTE?			WHEN CAN I VOTE?			
LOCATION	ADDRESS	PHONE <i>(used only during the voting period)</i>	11 to 14 Oct 12 to 20	15 Oct 12 to 20	16 Oct 12 to 20	17 Oct 09 to 20
Name	Address	Phone number	Toimub = Takes place			
Name	Address	Phone number				
Name	Address	Phone number				
Name	Address	Phone number				
Name	Address	Phone number				
Name	Address	Phone number				
Name	Address	Phone number				
Name	Address	Phone number				
Name	Address	Phone number				
Name	Address	Phone number				



For information about the accessibility of voting rooms, please call 631 6633 or visit jsk.valimised.ee.

FURTHER INFORMATION

WHAT SHOULD I TAKE ALONG TO VOTING?

Take along a **personal identification document** (e.g. ID card, passport, residence permit card, driving licence).
You do not need to take along the elections information sheet.

HOW CAN I ORDER A BALLOT BOX TO MY HOME?

You can order a ballot box by phone from 15 to 17 October.
Ordering closes at 14:00 on 17 October.
To order it, **please call** *phone number*.

WHO DO I INFORM IN THE CASE OF AN ATTEMPT TO UNLAWFULLY INFLUENCE MY VOTING DECISION?

If an attempt is made to influence your voting decision by promising or giving property or other benefits, **immediately notify the police** by calling 112. This way, you contribute to ensuring the honest conduct of the elections.

WHERE CAN I GET FURTHER INFORMATION?

Elections info line: 631 6633

Elections e-mail: info@valimised.ee

Elections webpage: valimised.ee

Information on voting rooms: jsk.valimised.ee

COVID-19 information: kriis.ee

* Information about Population Register data (e.g. place of residence, e-mail): *phone number*

* More detailed information on the accessibility of voting rooms: lips.tallinn.ee

* Information only on the Tallinn information sheet

Agenda Item 4.2

Reform Bill Committee

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddDiwygio@senedd.cymru
senedd.cymru/SeneddDiwygio
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddReform@senedd.wales
senedd.wales/SeneddReform
0300 200 6565

Dawn Bowden MS
Former Chair
Committee on Senedd Electoral Reform

16 November 2023

Dear Dawn

Senedd Cymru (Members and Elections) Bill

As you are aware, the Welsh Government formally introduced the Senedd Cymru (Members and Elections) Bill ("the SC(ME) Bill") to the Senedd on 18 September 2023. The Reform Bill Committee's role is to undertake Stage 1 scrutiny of the general principles of the Bill.

We are currently gathering evidence to inform our conclusions and any recommendations we may wish to make. Among the evidence we have received to date has been:

- Oral evidence from the former Chair and a former member of the Expert Panel on Assembly Electoral Reform.
- Written evidence from the former Chair of the Special Purpose Committee on Senedd Reform ("SPCSR").

The role of the Committee on Senedd Electoral Reform ("CSER") was to examine the recommendations made by the Expert Panel on Assembly Electoral Reform. The subsequent remit of the SPCSR was to consider the conclusions reached by CSER and to make recommendations for policy instructions for a Welsh Government Bill on Senedd reform.

Therefore, while responsibility for the SC(ME) Bill and the provisions it contains rests with the Counsel General and Minister for the Constitution as Member in charge of the Bill, we would like to offer you



the opportunity, in your capacity as the former Chair of CSER, to share with us any views that you have on the Bill.

We would welcome a written response by **Thursday 30 November 2023**.

Yours sincerely



David Rees MS
Chair, Reform Bill Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.

Agenda Item 4.3

Reform Bill Committee

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddDiwygio@senedd.cymru
senedd.cymru/SeneddDiwygio
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddReform@senedd.wales
senedd.wales/SeneddReform
0300 200 6565

John Griffiths MS

Chair

Local Government and Housing Committee

16 November 2023

Dear John

Senedd Cymru (Members and Elections) Bill

As you know, the Reform Bill Committee is currently scrutinising the Senedd Cymru (Members and Elections) Bill ("SC(ME) Bill"). During our work on this Bill, we have heard evidence from the Electoral Management Board for Scotland ("EMBS") and Boundaries Scotland on 9 November 2023, and from the Wales Electoral Coordination Board on 15 November 2023, that may be of interest and relevance to your Committee's scrutiny of the Elections and Elected Bodies (Wales) Bill ("EEB(W) Bill").

The SC(ME) Bill includes, among other matters, provision to:

- Reconfigure the Local Democracy and Boundary Commission for Wales ("LDBCW") as the Democracy and Boundary Commission Cymru ("DBCC"), and confer on it the function of reviewing and reporting on the Senedd's electoral boundaries.
- Increase the maximum number of commissioners that may be appointed to the DBCC to seven (and make associated provision in respect of persons who may not be appointed as members of the DBCC, its chief executive, or assistant commissioners, and in respect of quorum).

The Explanatory Memorandum to the SC(ME) Bill explains that the provisions in the SC(ME) Bill have been formulated to reflect not only the additional functions the current LDBCW will take on as a result of this Bill, but also those that will be conferred on it by the EEB(W) Bill. We understand that these will include:



- The establishment of an Electoral Management Board for the purpose of discharging electoral administration functions, including directions and advice to Returning Officers and Electoral Registration Officers.
- The functions currently undertaken by the Independent Remuneration Panel for Wales.

During the evidence session on 9 November 2023, the EMBS and Boundaries Scotland, the witnesses raised cautions about the proposal in the EEB(W) Bill that a Welsh statutory Electoral Management Board should be part of the functions of the DBCC. On 15 November 2023, the Wales Electoral Coordination Board said that provided appropriate arrangements were put in place, it could be appropriate for a Welsh EMB to be established within the DBCC.

Yours sincerely



David Rees MS
Chair, Reform Bill Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.

Agenda Item 7

By virtue of paragraph(s) iv of Standing Order 17.42

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