

Make the Senedd more representative of the Welsh population

Y Pwyllgor Deisebau | 11 Medi 2023
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Petition Number: P-06-1334

Petition title: Make the Senedd more representative of the Welsh population

Text of petition: This petition is calling upon the Welsh Parliament to investigate the introduction of gender and ethnicity quotas within its electoral systems and calls for more representation of those from a disabled background. Furthermore, it requests what action has this Senedd and the previous five incarnations done to make the Senedd more reflective of Wales as a whole.



1. Background

Section 35 of the Government of Wales Act 2006 states that:

The Senedd must make appropriate arrangements with a view to securing that Senedd proceedings are conducted with due regard to the principle that there should be equality of opportunity for all people.

The Fifth Senedd's Committee on Senedd Electoral Reform said that while the Senedd has “performed relatively strongly” in terms of gender-balanced representation, “there has consistently been a lack of visible diversity in terms of ethnicity and disability”.

The boundaries of the Senedd's legislative competence with regards to implementing measures to improve diversity is complex. This briefing will look at the current gender and ethnic make-up of the Senedd, as well as future reform plans.

1.1. Gender diversity

Since its creation, the percentage of women elected to the Senedd has always been above the global average. In 2003, the then National Assembly became the first legislature in the world to elect an equal number of men and women. Since then, the percentage of women Members has fallen, though it has always remained above 40%.

1.2. Ethnic diversity

At the 2021 Senedd Elections, three Members from an ethnic minority were elected. This was the same number as the 2016 election. Mohammad Asghar, elected in 2007, was the first Senedd Member from an ethnic minority background.

The below table shows the numbers of Members from an ethnic minority background elected at each Senedd/Assembly election. This refers to the figures elected, and does not include any changes in Membership during the Assembly/Senedd term. It does not account for by-elections.

Election	Members from an ethnic minority	Percentage
1999	0	0%
2003	0	0%
2007	1	1.6%
2011	2	3.3%
2016	3	5%
2021	3	5%

Sources: Senedd Research, [Senedd Election 2021: Research Briefing](#), July 2021; National Assembly for Wales Research Service, [Research Briefing 2016 Assembly Election Results](#), June 2016; Senedd Research, National Assembly for Wales Research Service, [2011 Assembly Election Results](#), May 2011.

2. Welsh Government action

The Welsh Government announced its legislative programme for the upcoming year in June. The programme included two Bills on Senedd reform:

- A Bill to expand the size of the Senedd to 96 Members and implement other reforms; and
- A separate Bill to introduce gender quotas for candidates for election to the Senedd, “with the aim of making [the Senedd] more representative of the people it serves.”

Both Bills are expected to be introduced at some point in the autumn term.

Upon the publication of the Welsh Government’s legislative programme, the First Minister, Mark Drakeford, told the Senedd:

We will bring forward a Bill to introduce gender quotas for candidates elected to this Welsh Parliament.

We are confident that we have the legal scope here in Wales to legislate in this area, and we will bring forward a Bill confident of the basis on which we do so. But it is an area in which other views may be possible, and where a challenge might be mounted. In order to make sure that the main reforms are not vulnerable to challenge, we've severed the two aspects.

2.1. Access to elected office fund

On 15 February 2021, the pilot for the Access to Elected Office Fund for Wales opened for candidates standing in the Senedd elections in May 2021.

The second stage opened in October 2021, and was specifically targeted at supporting disabled candidates seeking election in the local government elections due to be held in May 2022. The fund was delivered by Disability Wales and was funded by the Welsh Government.

Candidates could apply for support with additional costs to overcome impairment related barriers that would impact participation in the election. These included:

- Assistive aids, equipment and software;
- Travel around the constituency if the candidate cannot use public transport; and
- Communication support workers such as British Sign Language, interpreters, palantypists and lip speakers.

A review of the pilot was carried out between November 2022 and March 2023.

On 16 May 2023, the Counsel General, Mick Antoniw, said that the Welsh Government intends to legislate to ensure that the fund is available for future elections.

3. Welsh Parliament action

The issue of introducing quotas in the Senedd has been addressed by successive committees.

3.1. Expert Panel

The Expert Panel on Assembly Electoral Reform was established in February 2017 to provide advice on electoral reform of the then National Assembly. The Panel's scope included looking at diversity of representation in future parliaments. It argued that any future electoral system "should encourage and support the election of a body of representatives which broadly reflects the population".

The Expert Panel recommended that gender quotas be integrated into future electoral systems used by the Assembly. However, it also acknowledged that there

were significant constraints on the then Assembly's competence to legislate in this area.

3.2. Committee on Senedd Electoral Reform

The Committee on Senedd Electoral Reform (CSER) was established in September 2019 to examine the recommendations of the Expert Panel. The CSER said:

[the Committee] strongly supports the principle that the Senedd should be gender balanced, and that its membership should be more diverse both in respect of ethnicity, disability and other protected characteristics.

However, it also said that it had “received legal advice which suggests that the Senedd’s legislative competence in respect of equality and diversity may be significantly constrained.”

It recommended that the Welsh Government should seek amendments to the Government of Wales Act 2006 to ensure that measures to encourage the election of a more diverse Senedd would be within legislative competence of the Senedd. It also recommended that:

A Sixth Senedd committee should undertake further work on diversity quotas in respect of characteristics other than gender to inform decisions on whether such quotas would be appropriate mechanisms to encourage the election of a more diverse Senedd.

3.3. Special Purpose Committee on Senedd Reform

The Special Purpose Committee on Senedd Reform was established in October 2021 with the aim of making recommendations for a Welsh Government Bill to reform the Senedd in time for the 2026 election.

The Committee recommended that the Senedd be elected with integrated statutory gender quotas. It also recommended that:

A relevant committee considers how further work can best be undertaken on examining the merits and implications of legislative diversity quotas for characteristics other than gender.

The Committee stated that:

Our Committee unanimously concludes that legislative integrated gender quotas and mandatory zipping should be developed as part of the new list system.

It further stated:

We recognise that the ability of the legislation to deliver on this recommendation, as with all recommendations, is whether it can be delivered within the constraints of the Senedd's competence.

In relation to all of the Committee's proposals on diversity, the report stated:

Any Bill introducing diversity measures would have to be drafted in a way that does not relate to any reserved matter, including the reserved matter of 'equal opportunities'.

We recommend that the Welsh Government takes appropriate steps to ensure that our recommendations on Senedd reform for 2026 are not put at undue risk of a Supreme Court referral.

The Committee also made other recommendations around diversity in the Senedd. These included:

- A legislative requirement should be placed upon devolved Welsh Authorities to collect and prominently publish anonymised candidate diversity data; and
- Provisions should be included in a Senedd reform Bill that encourage each political party standing candidates in a Senedd election to prominently publish a diversity and inclusion strategy.

3.4. Senedd debate on gender quotas

In the Senedd, members have discussed the issues of gender quotas and diversity in the Senedd on numerous occasions, including in a Plenary debate on the Welsh Government's legislative programme on 27 June 2023.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.