



David Rees MS
Chair, Reform Bill Committee

29 November 2023

Dear Chair

Thank you for your letter of 22 November regarding scrutiny of the Senedd Cymru (Members and Elections) Bill. I am grateful for the Reform Bill Committee's detailed consideration of this important legislation, as well as the forthcoming Senedd Cymru (Electoral Candidate Lists) Bill.

I have had the opportunity to discuss your letter with the Leader of Plaid Cymru and I am responding on behalf of us both.

In relation to your request to give evidence to the Committee, as you will appreciate this time of year is a particularly busy period and due to existing diary commitments, alongside the additional challenge of seeking to coordinate a slot where both myself and the Leader of Plaid Cymru could attend at short notice to give oral evidence, I am afraid that we are not able to accept your invitation. However, we trust that this written submission provides a response to the areas raised in your letter. You will be aware that we will be appearing before the Scrutiny of the First Minister Committee on 8 December to discuss matters relating to the Co-operation Agreement, of which Senedd reform is a key part.

Turning to the questions you raised:

1. Whether you remain confident that the proposals in the Bill, including the proposed closed list electoral system, will command a supermajority within the Senedd.

We remain confident that the proposals in the Bill, which largely give effect to the recommendations of the Special Purpose Committee on Senedd Reform (SPC), will command a supermajority within the Senedd. As you will be aware, the SPC was by its remit only permitted to make recommendations to the Senedd that carried the support of a supermajority.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

2. Whether you have given any consideration as to whether any alternative proposals could attract a supermajority should the Senedd decide to amend any of the electoral arrangements in the Bill.

Since the SPC published its report, our focus has been on working to ensure the recommendations can be successfully transferred into legislation within 12-18 months of the Committee reporting, as per the Co-operation Agreement commitment in order that Senedd reform can be delivered by 2026. Ensuring that this ambitious timetable is fulfilled remains our overriding priority. The recommendations of the SPC were endorsed by a two-thirds majority of the Senedd on 8 June 2022. This endorsement, and the subsequent response from the Welsh Government to bring forward legislation to that effect, provides the basis for the provisions contained in the Senedd Cymru (Members and Elections) Bill.

We are of course open to the findings of your committee, as well as the other committees involved in the scrutiny of the Bill. The committee will, I am sure, consider as part of its deliberations whether alternative proposals will enable the Bill to be passed by a supermajority.

I must be clear, however, that the Bill represents a carefully calibrated package of measures. Changes to any one element in the Bill cannot be considered in isolation, because individual changes will alter the nature of the proposals taken as a whole.

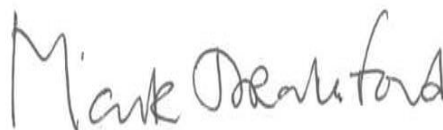
3. We would also be interested in exploring with you the evidence and rationale that led the First Minister and the then leader of Plaid Cymru to reach the conclusions set out in the Joint Position Statement.

As the Counsel General set out in his letter to you of 8 November, the Joint Position Statement took account of the range of evidence gathered over the last twenty years. This included the reports of the Richard Commission, the Expert Panel on Assembly Electoral Reform and the Committee on Senedd Electoral Reform. The Statement also took account of the motions passed by the Welsh Labour and Plaid Cymru Conferences in Spring 2022 and the related democratic processes of the two parties.

We trust that this response is helpful to your committee as it continues its scrutiny of the Bill and look forward to considering your report in due course.

I am also copying this letter to Rhun ap Iorwerth, Leader of Plaid Cymru and to Adam Price, as the former Leader of Plaid Cymru.

Yours sincerely



MARK DRAKEFORD