



Ein cyf/Our ref: CG/PO/94/2024

Vikki Howells MS
Chair
Standards of Conduct Committee
Senedd Cymru

SeneddStandards@senedd.wales

13 March 2024

Dear Vikki

I am writing in relation to the Standards of Conduct Committee's proposed review of options for the strengthening of individual Members' accountability, as recommended in by the Reform Bill Committee in its Stage 1 report (recommendation 50), which the Committee accepted in principle in its initial response to the Reform Bill Committee of 22 January.

Amendments related to this issue were debated as part of Stage 2 proceedings of the Senedd Cymru (Members and Elections) Bill, during which I undertook to write to the Committee to draw its attention to the following amendments, and to ask that the Committee give specific consideration to these issues as part of the work undertaken in response to recommendation 50:

- amendments 124 and 125 relating to the recall of Members of the Senedd, tabled by Darren Miller MS, and
- amendment 126 relating to the disqualification of Members convicted of the offence of deception, tabled by Adam Price MS.

While I was not able to support the amendments as drafted at that time, I am supportive of the general principle underpinning these amendments, and of the increased accountability of Members they would bring. My decision not to support the amendments was because such complex and continually important issues require a fuller consideration than the amending stages of this Bill can provide, and mindful of the related recommendation to, and proposed review by your Committee.

I also note that the Petitions Committee considered a related petition (P-06-1386) at its meeting on 4 March, resolving to write to the Standards of Conduct Committee on the matter. This sits alongside increased civil interest in the accountability of politicians, including the ability to recall Members, seen at both a national and a UK level.

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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.

I believe the contributions of Members during the Stage 2 debate, along with the consideration by the Petitions Committee provides significant impetus to the Standard of Conduct Committee's considerations on these matters.

In addition, the issue of Disclosure and Barring Service (DBS) checks has been raised with me by some Members. Standard and enhanced checks are not currently available to Members of the Senedd (only a "basic check" can be requested). There are understandable concerns that this does not provide sufficient assurance to the public where Members come into contact with children and vulnerable adults. Members can request a standard or enhanced check when they are undertaking "regulated activity", such as providing personal care or regular supervision to a child or vulnerable adult, however it is possible for Members to come into contact with children and vulnerable adults through their role as an elected representative, for example through visits to schools or hospitals. It may also be possible that the power and trust held by Members could, in the wrong hands, be open to abuse without wider safeguards. An ability to request a standard or enhanced DBS check may be one way for Members to demonstrate their openness on this matter, however I recognise it is the Home Secretary who is able to make a change to the relevant statutory instrument. I would be grateful if the Committee could include consideration of this issue as part of the proposed work on the accountability of Members, and to consider any steps it considers appropriate.

I therefore look forward to engaging with the Committee as part of any inquiry it chooses to undertake, and to its subsequent conclusions.

I am copying this letter to the Commissioner for Standards, for his awareness.

Yours sincerely,

A handwritten signature in blue ink, reading "Mick Antoniw", with a horizontal line underneath the name.

Mick Antoniw AS/MS

Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution