

Lesley Griffiths MS

Minister for Environment, Energy and Rural Affairs

23 March 2021

Dear Lesley

The UK Government's Animal Welfare (Sentencing) Bill

I am writing to draw your attention to our report on The Welsh Government's Legislative Consent Memorandum on the Animal Welfare (Sentencing) Bill, which we laid today.

As you will be aware, during the Fifth Senedd we have expressed concerns about the extent to which the Welsh Government has been proposing that the UK Parliament and UK Government legislates in devolved areas. Paragraphs 21 to 23 of our report again raise these concerns. It is particularly disappointing that consent is being sought at the end of the Senedd for a two clause Bill in an area of policy that the Welsh Government sees as a priority. As we indicate in the report, because no consent motion is to be tabled in respect of the Bill before recess and dissolution, this is a matter that may now come before the Sixth Senedd should the next Welsh Government continue with this approach.

We have been reflecting on all our scrutiny work for the purpose of our Legacy Report. In doing so, we have noted that we have often found it necessary to express these concerns on matters within your portfolio.

The arguments you have put forward to support the UK Parliament and UK Government legislating in devolved areas have often centred around issues of clarity and accessibility of the law or ensuring compatibility with policy in England. These are arguments in favour of not holding powers in this area at all and, in our view, they have no merit.

We are concerned about the substantial and damaging cumulative impact of a succession of decisions that have been made which have resulted in the UK Parliament and UK Government legislating heavily on devolved matters within your portfolio.



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Our Legacy Report will highlight these issues and we will encourage our successor Committee to monitor the use of this legislative approach in the next Senedd.

Yours sincerely,

A handwritten signature in black ink, reading "Mick Antoniw". The signature is written in a cursive style with a horizontal line underneath the name.

Mick Antoniw MS

Chair of the Legislation, Justice and Constitution Committee

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

