

Dawn Bowden AM
Chair of the Committee on Assembly Electoral Reform

27 January 2020

Dear Dawn,

Committee on Assembly Electoral Reform

Thank you for seeking our views on the work of your committee. You will be aware of some of our work from your time as a member of this committee. Of course, we also share two members in Delyth Jewell and Huw Irranca-Davies.

We have sought to respond to each of the questions posed in your letter:

Question 1: Whether the current size of the Assembly has given rise to any implications or limitations for your Committee's work or the way in which you approach policy, legislative and financial scrutiny of the issues within your remit

The current size of the Assembly has placed no limitation on the way we work or the way in which we approach the scrutiny of issues within our remit.

The creation of the External Affairs and Additional Legislation Committee, at the start of this Assembly, to deal with a significant additional scrutiny task faced by the Assembly, demonstrated that there was a degree of headroom available within the Assembly's scrutiny capacity to allow for an additional committee to be created.

This, coupled with a modest extension of the time available for Assembly business, has meant that we have not faced any particular limitations to our work.



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We faced one issue of capacity in 2018 when the Business Committee decided to refer a Bill to the Committee that was unrelated to our core remit.

We dealt with this by establishing a sub committee to consider the Bill and agreeing a separate meeting slot.

On reflection, we believe that this again demonstrated that, with the current number of Assembly Members, it is possible to find additional scrutiny capacity for particular tasks by considering timetabling and the use of small membership committees.

In the case we refer to above, our preference would have been for the Business Committee to have established an ad hoc Bill committee rather than remitting the Bill to us (or indeed any other committee that had an unrelated remit to the policy area dealt with by the Bill). The effect on Assembly Member capacity and timetabling would have been the same, but avoided the need for another committee to be involved.

More recently, our membership was reduced from eight members to six members. This has not caused any problems from our perspective.

Question 2: How any recent or anticipated changes to the Assembly's powers or responsibilities, or the broader constitutional context, might affect your Committee's remit or how you undertake your role.

The Brexit process has resulted in a number of new and significant scrutiny tasks emerging. For example, the need for a focus on the emerging concept of a UK internal market (including the scrutiny of UK-wide common policy frameworks), the implications for Wales arising from UK international agreements, and the state of the UK's constitution more generally.

Additionally, the prominence given to international relations by the Welsh Government has increased. This can be seen in both the creation of a Minister for International Relations and the Welsh Language and the recent publication of a new international strategy. This shift in the activity of government has correlated to an enhanced scrutiny task for the Committee.

However, to an extent, these new tasks replace the Assembly's existing work on European affairs.

It is our intention to review our work in early 2021, with a view to identifying any ongoing scrutiny functions that might need to be considered in the Sixth Assembly.

We have yet to consider whether such scrutiny functions might be best addressed by a specific committee or mainstreamed across the work of committees (as has been the case with European affairs).



Ultimately, it will be for the incoming Business Committee of the Sixth Assembly to determine how these scrutiny functions are addressed.

Question 3: Any implications an increase in the size of the Assembly might have for the work of Assembly committees, including the support services they receive.

It is difficult to draw any conclusions in relation to this as there are many other factors that affect the work of committees and the support that they receive.

For example, decisions on the number of committees, remits, timetabling, party balance, and size of memberships are as significant in this context as the total number of Assembly Members available to sit on committees.

In our experience, relatively small committees can work effectively. An element of our strategic approach has been to acknowledge that as few as four engaged committee members can undertake effective scrutiny.

Question 4: We would also welcome information about how your Committee assesses the impact of its scrutiny work, and examples of effective scrutiny or missed opportunities.

Early in the life cycle of the Committee, we established a strategic approach. We have returned to this approach on several occasions to test whether we have been working in accordance with it and to assess whether it needed to be adjusted.

This has been, largely, an internal exercise, though we have had some external feedback as part of the review process.

Measuring the impact of scrutiny is notoriously difficult, given that much of the influence we seek to bring to bear through scrutiny is rarely acknowledged by those we seek to influence. The impact we have is often hard to quantify.

Nevertheless, it is our current intention, when reviewing our work at the end of the Assembly, to test ourselves against the strategic approach we set and to seek external input to help inform that assessment.

This will contribute to our identification of the scrutiny functions that might need to be carried into the Sixth Assembly and any means we might recommend for performing such functions.

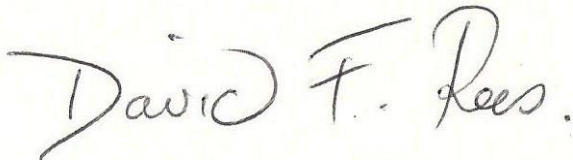
At a macro level, the Committee has achieved its aim of ensuring that the implications for Wales arising from the Brexit process have been considered by those leading the Article 50 process at both a UK and an EU-level. This can be shown through the meetings we held with the EU's lead negotiators in the



Commission, Parliament and Council. Additionally, reference to the Committee's work in UK Parliament committee reports and on the floor of the House of Commons have demonstrated a level of influence. More work is needed to see whether quantifiable outcomes from this can be discerned.

Thank you again for providing us with an opportunity to contribute to your work.

Yours sincerely,

A handwritten signature in black ink that reads "David F. Rees." The signature is written in a cursive style with a large initial 'D' and 'R'.

David Rees AM

Chair of the External Affairs and Additional Legislation Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

