



The Secretariat  
All Wales Convention  
National Assembly for Wales  
The Pierhead Building  
Pierhead Street  
Cardiff  
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31 January 2009

Dear Convention members,

Thank you for the opportunity to submit written evidence to the Convention's Executive Committee on issues pertaining to the Convention's work. As a non-governmental organisation involved in citizenship education for young people and for adults in Wales, the Welsh Centre for International Affairs has views on certain of the matters before the Convention, as outlined below.

1. In relation to **effective scrutiny** by the National Assembly for Wales, the Welsh Centre for International Affairs has been consistent in submissions to the pre-Assembly consultation exercise of 1998, and subsequently to the Richard Commission. It has been clear to us that the number of elected members in the National Assembly for Wales should be increased from 60 to 80, so as to ensure greater effectiveness in scrutiny of the Welsh Assembly Government's actions. That is true regardless of whether it is secondary or primarily legislation, or other orders, which are being considered, and this continues to be our view. A concomitant increase in staffing in the National Assembly Parliamentary Service, legal department and civil service would likely be required as well, as a corollary to the increase in politicians. However, it seems that the use of civil servants and legal resources for the current system, based on Legislative Competence Orders (LCOs) and other complex routes to acquire legislative powers, is such that a more streamlined approach centred on Cardiff alone would not necessarily cost more in human resources than the current settlement. Scrutiny shared between Westminster and Cardiff has proved itself to be cumbersome, over-intricate and inadequately transparent. It could be made more logical with greater powers vested in Cardiff alone.

2. You ask for examples of the **practical outcomes of devolution**. We refer here only to international-related issues that the Welsh Centre for International Affairs has lobbied on, or in which it is active. It is appropriate that, over its first decade, the National Assembly has taken on greater engagement with the European Union, and has instituted the *Wales for Africa* scheme as an adjunct of its legal commitment to sustainable development. We feel these are natural activities for a national elected body, and that there remains scope for further legitimate extension in global matters, should greater powers be made available. As for **perceptions of Wales** post-devolution, the fact that we and other civil society bodies are now part of consultative groupings representing four nations (e.g. the UK alliance of networks for international development, or the 4 nations global citizenship network) shows that there has been a significant and welcome shift in acknowledging that governance changes have to be reflected in non-governmental circles too.
3. As for **levels of understanding of devolution**, it strikes the Welsh Centre for International Affairs that there is widespread confusion among people in Wales. This is true both in terms of separation of powers between the Welsh Assembly Government and the National Assembly for Wales; and of the present lines of accountability between the Assembly and Westminster. We encounter this uncertainty annually in our Model National Assembly for Wales for young people, run by our schools arm, CEWC-Cymru. Constitutional lawyers and politicians seem to be the only ones expert enough to understand the Measures/LCO aspects of the current settlement in particular. Yet Schedule 7 of the Government of Wales Act 2006 provides the template for the issues on which the Assembly could have clear and full legislative responsibility. No new areas of devolved responsibility would result from implementation of its principles - only the ability to pass laws in those areas of responsibility that the Assembly already has, without having to seek the agreement of another (partly) democratically elected body in Westminster, on a case by case basis. As a result that would allow the accountability issue to be made much clearer with the electorate: 'Assembly Members have responsibility in those fields, while Members of Parliament have it in these others'.
4. Regarding the **working of the current devolution settlement**, changes wrought by the Government of Wales Act 2006 have been insufficient. 'Administrative devolution', a new and seemingly unique concept minted especially for Wales in 1999, has indeed evolved in the third Assembly term as a result of that Act. But the evolution can be explained zoomorphically as being that from a one-humped camel to a two-humped camel instead. And so it remains a beast that is not entirely suited to the demands of life in the non-arid land of Wales.

## **Summary**

**A. Are the current powers available to the National Assembly sufficient?**

No, the Welsh Centre for International Affairs believes not, for the reasons adduced above.

**B. Is it the right time for Wales to take the next step towards full law making powers?**

The right time should actually have been following the submission of the Richard Commission report. Given that full law making powers were not granted then, the correct time is as soon as practicable now, instead.

Yours sincerely

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