

Rt Hon Stephen Crabb MP
Secretary of State for Wales
1 Caspian Point
Cardiff Bay
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Your ref:
Our ref: PO/RB/BA

14 January 2016

Dear Stephen

Scrutiny of the Draft Wales Bill in the National Assembly for Wales

On 13 January the Assembly debated the draft Wales Bill, informed by the pre-legislative scrutiny report of the Constitutional and Legislative Affairs (CLA) Committee. Through a series of unanimously agreed resolutions, the Assembly established its collective view on the main changes required before the Wales Bill itself is introduced to Parliament.

By speaking with one voice, the Assembly has demonstrated how important this issue is for the future of devolution. The debate clearly illustrated the strength and weight of evidence underlying the CLA Committee report and the consistent views on these issues amongst Welsh civic society. There is a clear expectation from all parties that the forthcoming Wales Bill must leave the Assembly with a fuller, clearer and more workable set of powers to make decisions for the people of Wales.

The Assembly welcomed the report of the CLA Committee on the draft Wales Bill and unanimously agreed to note the specific recommendations that the draft Bill should be amended as follows:

- to remove the necessity test, or replace it with a test based on appropriateness;

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- to include a system for requiring Minister of the Crown consent that reflects the model in the Scotland Act 1998;
- to significantly reduce the number and extent of specific reservations and restrictions consistent with a mature, effective and accountable legislature;
- to include a distinct jurisdiction in which Welsh Acts extend only to Wales and modify England and Wales law as appropriate for reasonable enforcement.

It was also agreed unanimously that, should the UK Government proceed with the planned timetable for the Wales Bill, it should commit to carrying out a bilingual consolidation of Welsh constitutional law during the current Parliament. You are already aware of my concern in respect of the ambitious timetable that has been set out for the Wales Bill, particularly given that the Welsh Affairs Committee has yet to publish its report.

The full transcript of the debate can be accessed on the Assembly's website under the Record of Proceedings. ¹

Ahead of the Welsh Grand Committee next month I shall also be writing to all Welsh MPs in similar terms to ensure that the views of the Assembly are known.

The clear message from the resolutions of the Assembly is that the draft Bill requires significant amendment before it will deliver on those expectations. As ever, if there is anything that I, or my officials, can do to assist you in that task and so deliver a Wales Bill that commands the support of the Assembly, I would be delighted to do so.

Yours sincerely



Dame Rosemary Butler AM, Presiding Officer

¹ (<http://www.assembly.wales/en/bus-home/pages/rop.aspx?meetingid=3522&assembly=4&c=Record%20of%20Proceedings#264778>)