

Agenda – Legislation, Justice and Constitution Committee

Meeting Venue:	For further information contact:
Committee Room 4	P Gareth Williams
Meeting date: 27 September 2021	Committee Clerk
Meeting time: 13.30	0300 200 6565
	SeneddLJC@senedd.wales

1 Introductions, apologies and substitutions

2 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3

(Page 1)

LJC(6)–07–21 – Paper 1 – Statutory instruments with clear reports
Affirmative Resolution Instruments

2.1 SL(6)047 – The Education Tribunal for Wales (Amendment) Regulations 2021

3 Papers to note

3.1 Correspondence with Lord Kinnoull and Sir Oliver Heald: UK–EU Parliamentary Partnership Assembly

(Pages 2 – 7)

LJC(6)–07–21 – Paper 2 – Letter from Lord Kinnoull and Sir Oliver Heald, 21
September 2021

LJC(6)–07–21 – Paper 3 – Letter to Lord Kinnoull, Chair of the European Union
Committee, House of Lords, 25 August 2021

LJC(6)–07–21 – Paper 4 – Letter to Lord Kinnoull, Chair of the European Union
Committee, House of Lords, 16 July 2021

LJC(6)–07–21 – Paper 5 – Letter to Sir Oliver Heald MP, 16 July 2021



3.2 Correspondence from the Diverse5050 campaign: Diversity in the Sixth Senedd

(Pages 8 – 9)

LJC(6)–07–21 – Paper 6 – Letter from Diverse5050 campaign, 22 September 2021

4 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting

5 Legislative Consent Memoranda on the Armed Forces Bill – draft report

(Pages 10 – 18)

LJC(6)–07–21 – Paper 7 – Draft report

6 Legislative Consent Memorandum on the Animal Welfare (Kept Animals) Bill

(Pages 19 – 27)

[Legislative Consent Memorandum – Animal Welfare \(Kept Animals\) Bill](#)

LJC(6)–07–21 – Paper 8 – Legal advice note

7 Strategic approach to the Committee's remit and forward work planning

(Pages 28 – 65)

LJC(6)–07–21 – Paper 9 – Strategic planning discussion paper

LJC(6)–07–21 – Paper 10 – Research Service briefing paper

LJC(6)–07–21 – Paper 11 – Draft proposed forward work programme

LJC(6)–07–21 – Paper 12 – Letter from the Llywydd, 22 September 2021

LJC(6)–07–21 – Paper 13 – Letter from the Head of Wales Office, Royal College of Speech and Language Therapists, 30 July 2021

LJC(6)–07–21 – Paper 14 – Letter to the Head of Wales Office, Royal College of Speech and Language Therapists, 21 July 2021

LJC(6)-07-21 - Paper 15 - Letter from the Head of Wales Office, Royal College of Speech and Language Therapists, 5 July 2021

LJC(6)-07-21 - Paper 16 - Letter from the Chair of the Children, Young People and Education Committee, 20 July 2021

LJC(6)-07-21 - Paper 17 - Letter from the Chair of the Equality and Social Justice Committee, 10 August 2021

Statutory Instruments with Clear Reports 27 September 2021

SL(6)047 – The Education Tribunal for Wales (Amendment) Regulations 2021

Procedure: Affirmative

These [Regulations](#) correct a cross-referencing error in the Education Tribunal for Wales Regulations 2021 (“the Tribunal Regulations”).

The Tribunal Regulations set out the procedure to be followed in proceedings before the Educational Tribunal for Wales concerning additional learning needs appeals (under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018) and claims of disability discrimination in respect of school pupils (under Chapter 1 of Part 6 of the Equality Act 2010).

These Regulations substitute a new regulation 17(2) of the Tribunal Regulations to provide that the case statement period for a claimant making a claim under the Equality Act 2010 is 8 weeks beginning on the date that the acknowledgment of receipt of a claim is received.

Parent Act: Equality Act 2010

Date Made:

Date Laid:

Coming into force date: 08 October 2021



Agenda Item 3.1



Colin McGrath
Chair, Committee for the Executive Office
Northern Ireland Assembly

Clare Adamson
Convener, Constitution, Europe, External Affairs and Culture Committee
Scottish Parliament

Huw Irranca-Davies
Chair, Legislation, Justice and Constitution Committee
Welsh Senedd

21 September 2021

Dear colleagues,

Thank you for your letter of 25 August 2021.

As you know, we have been informally tasked by the authorities in our respective Houses to develop an agreed position on the establishment of the Parliamentary Partnership Assembly (PPA). Discussions on the PPA between the two Houses and with the European Parliament are ongoing and we will keep you informed as the situation continues to develop.

All of us understand the importance of the UK's evolving relationship with the EU, including its impact on areas of devolved competence. We will therefore seek to involve the Scottish Parliament, the Northern Ireland Assembly and the Welsh Senedd in the work of the PPA and we will certainly wish to engage with you, as the Convener and Chairs of the relevant committees, to establish mutually appropriate ways for this engagement to work.

We look forward to our continued cooperation.

Yours sincerely

A handwritten signature in blue ink that reads "Oliver Heald".

Sir Oliver Heald

A handwritten signature in black ink that reads "Lord Kinnoull".

Lord Kinnoull



Lord Kinnoull,
Chair of the European Union
Committee, House of Lords (by e-mail)

25 August 2021

Dear Lord Kinnoull,

As you are aware a number of committees within the Scottish Parliament, Northern Ireland Assembly and Welsh Senedd have raised a possible role for the devolved legislatures in the UK-EU Parliamentary Partnership Assembly.

Further to this correspondence we are now writing to jointly request that the three devolved legislatures are formally consulted on our role prior to any final decision being made at Westminster regarding the UK delegation to the PPA.

We are copying this letter to Sir Oliver Heald.

Yours Sincerely,

Clare Adamson *Colin McGrath* *Huw Irranca-Davies*

Clare Adamson, Convener, Constitution, Europe, External Affairs and Culture Committee, Scottish Parliament

Colin McGrath, Chair, Committee for the Executive Office, Northern Ireland Assembly

Huw Irranca-Davies, Chair, Legislation, Justice and Constitution Committee, Welsh Senedd

The Earl of Kinnoull
Chair, Lords European Affairs Committee

16 July 2021

Dear Lord Kinnoull

The UK-EU Parliamentary Partnership Assembly

Senedd Committees have now been established following the Senedd General Election in May and I am writing to introduce myself as the new Chair of the Senedd's Legislation, Justice and Constitution (LJC) Committee. The LJC Committee has taken on responsibility for some of the functions previously carried out by the Fifth Senedd's External Affairs and Additional Legislation (EAAL) Committee. This includes the Senedd's engagement with the European Union and overarching scrutiny of UK-EU relations.

I am aware that the Chair of the EAAL Committee had begun conversations with you about a possible role for the devolved legislatures in the UK-EU Parliamentary Partnership Assembly and, in my role as Chair of the LJC Committee, I would welcome the opportunity to re-open these conversations with you and with Sir Oliver Heald, whom I have written to separately.

Moreover, as a previous member of the EAAL Committee I very much welcome the close working relationship that developed between that Committee and European committees in the House of Lords and look forward to continuing this important work with you in the Sixth Senedd.

I know that this issue will be of similar interest to colleagues in the Northern Ireland Assembly and Scottish Parliament and have therefore copied this letter to Colin McGrath MLA, Chair of the Committee of the Executive Office in the Northern Ireland Assembly, and Clare Adamson MSP, Convener of the Scottish Parliament's Constitution, Europe, External Affairs and Culture Committee.

I have asked the Committee Clerk to liaise with your office in order to facilitate a meeting, should you consider that would be helpful.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies
Chair

Sir Oliver Heald

16 July 2021

Dear Sir Oliver

The UK-EU Parliamentary Partnership Assembly

Senedd Committees have now been established following the Senedd General Election in May and I am writing to introduce myself as the new Chair of the Senedd's Legislation, Justice and Constitution (LJC) Committee. The LJC Committee has taken on responsibility for some of the functions previously carried out by the Fifth Senedd's External Affairs and Additional Legislation (EAAL) Committee. This includes the Senedd's engagement with the European Union and overarching scrutiny of UK-EU relations.

I am aware that the Chair of the EAAL Committee had begun conversations with colleagues in the House of Lords about a possible role for the devolved legislatures in the UK-EU Parliamentary Partnership Assembly and, in my role as Chair of the LJC Committee, I would welcome the opportunity to re-open these conversations with you and with Lord Kinnoull, whom I have written to separately.

As you will be aware, significant areas of devolved policy are covered by the UK-EU Trade and Cooperation Agreement. The devolved legislatures, through their scrutiny of their respective governments, will play a key role in ensuring that the Agreement is properly implemented. They therefore have an important contribution to make to the work of the Parliamentary Partnership Assembly.

I know that this issue will be of similar interest to colleagues in the Northern Ireland Assembly and Scottish Parliament and have therefore copied this letter to Colin McGrath MLA, Chair of the Committee of the Executive Office in the Northern Ireland Assembly, and Clare Adamson MSP, Convener of the Scottish Parliament's Constitution, Europe, External Affairs and Culture Committee.



I have asked the Committee Clerk to liaise with your office in order to facilitate a meeting, should you consider that would be helpful.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies
Chair

Agenda Item 3.2



22nd September 2021

Dear Huw Irranca-Davies MS, Chair, The Legislation, Justice and Constitution Committee

We are delighted to see that the Senedd has set up a legislation, Justice and Constitution committee and congratulate you on being elected Chair.

As the Diverse 5050 campaign, our target is to build a diverse culture in terms of representation and leadership in the Senedd and in the Welsh political structure, increasing diversity of representation for LGBT+ people, people of colour, and disabled people. A Senedd reflective of the whole population of Wales. Specifically, we are asking for:

- A process that will deliver an enlarged Senedd;
- legally binding integrated diversity and gender quotas;
- A Senedd elected by the STV voting system

For us, diversity shouldn't be a gap that needs to be filled but should be a culture and practice for all. It is who we are, where we grew up surrounded by different faces, voices, experiences, and languages. We want to see decision-making in Wales thoroughly informed by the perspectives and lived experiences of people who are women, men, disabled, racialized, LGBTQ+ and young people as this will produce better policy outcomes for all.

One of the Committee on Senedd Electoral Reform [recommendations stated](#): *'The relevant Sixth Senedd committee should undertake further work on diversity quotas in respect of characteristics other than gender to inform decisions on whether such quotas would be appropriate mechanisms to encourage the election of a more diverse Senedd. This work should be informed by expert advice on the design and operation of diversity quotas, and by working closely in partnership with underrepresented groups, including BAME communities in Wales and people with disabilities.'*

Whilst we know that the process to progress the next step of this reform is yet to be ascertained, we, however, ask for your support to actively pursue this change, which is much needed now in our Senedd, or to undertake the inquiry in your committee if no other process is established.

We also wanted to get in touch to offer our support on this work and say that we are here to help. Please do let us know if you require further information to move forward, otherwise we look forward to hearing from you.

Yours sincerely,

Evelyn James
Campaign Manager, Diverse5050, WEN Wales

Jess Blair
Director of Electoral Reform Society (ERS) Cymru

Kay Denyer
CEO Race Council Cymru

Rocio Cifuentes
CEO of Ethnic Minorities and Youth Support Team (EYST) Wales

Our campaign is also supported by the following organisations:



Action for Children, Chwarae Teg, Citizens Advice Swansea Neath Port Talbot, Co-production Network for Wales, Cynon Taf Community Housing Group, Disability Wales, Diverse Cymru, Fair Treatment for the Women of Wales (FTWW), Institute of Welsh Affairs (IWA), Llamau, National Federation of Women's Institutes (the WI), Oxfam Cymru, Race Alliance Wales, Social Firms Wales, Stonewall Cymru, Tai Pawb, Together Creating Communities, Welsh Women's Aid.

Agenda Item 5

By virtue of paragraph(s) vi of Standing Order 17.42

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Agenda Item 7

By virtue of paragraph(s) vi of Standing Order 17.42

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Huw Irranca Davies MS,
Chair,
Legislation, Justice and Constitution Committee
Senedd Cymru
Cardiff Bay
CF99 1SN

30 July 2021

Dear Mr Irranca-Davies,

Thank you for your letter of 21st July in response to our correspondence about a potential short inquiry into the speech, language and communication needs of young people in the youth justice estate.

It is very helpful to receive your update with regards the future remit of the committee and are pleased to hear that our proposal will be considered as part of the committee's strategic planning in the autumn term.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Cotterill', enclosed in a light grey rectangular box.

Pippa Cotterill,

**Head of Wales Office
Royal College of Speech and Language Therapists**

Pippa Cotterill
RCSLT Cymru Wales
Transport House
Cardiff CF11 9SD

21 July 2021

Dear Ms Cotterill

WORK PROGRAMME

Thank you for your letter of 5 July 2021 on behalf of the Royal College of Speech and Language Therapists raising the possibility of a short inquiry into the speech, language and communication needs of young people in the youth justice estate.

We considered your letter at our meeting on 12 July and agreed to consider proposals for future work as part of our strategic planning in the autumn term.

Since that meeting, the Business Committee has written to us indicating where the responsibility for justice should sit within the Senedd Committee structure. It has advised that high-level justice policy matters, such as the devolution of justice and policing, and any matters which relate to law-making, fall within our remit. Other matters relating to the practical application of justice should be open to scrutiny by other Senedd Committees, including the wider policy interactions with the justice system and policing that currently exist.

We will consider the Business Committee's correspondence in early September as we shape our work programme for the first year. However, we do expect the programme to be heavily focused on legislative scrutiny in light of the Welsh Government's recent legislative programme announcement.

I will write again in the autumn once we have finalised our programme for the next year.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies

Chair





Huw Irranca Davies MS,
Chair,
Legislation, Justice and Constitution Committee
Senedd Cymru
Cardiff Bay
CF99 1SN

5 July 2021

Dear Mr Irranca-Davies,

Many congratulations on your appointment as chair of the new Legislation, Justice and Constitution Committee. I am writing as Head of Wales Office for the Royal College of Speech and Language Therapists. I appreciate the wide-ranging remit of the committee and the many calls on the committee's time but wanted to take an early opportunity to raise the possibility of a short inquiry into the speech, language and communication needs of young people in the youth justice estate. As the facts below highlight, this is a significant issue which could benefit from a timely, focused review.

Key facts

- Up to **60%** of young people in the youth justice estate have speech, language & communication needs (Bryan et al, 2007).
- **66%-90%** of young offenders have low language skills. 46-67% of these are in the poor or very poor range (Bryan et al, 2007).
- Around **40%** of young offenders find it difficult or are unable to access and benefit from rehabilitation programmes that are delivered verbally, such as drug rehabilitation courses (Bryan et al, 2004).

To our knowledge, this issue was last reviewed by the Senedd over ten years ago when the then Communities and Culture Committee report 'Youth justice: the experience of Welsh children in the secure estate' (2010) highlighted a lack of provision in Wales for young and adult offenders who have speech language and communication needs and recommended the Welsh Government enable pilot work to be done in Wales on the potential benefits of speech and language therapy for juvenile offenders both in custody and on release. Despite evidence from the pilots, provision remains extremely patchy over a decade later. This was briefly touched upon by the recent Health Committee inquiry on the provision of health and social care in the adult prison estate in Wales in which the governor of HMP Parc acknowledged that there was unmet need for speech and language therapy among the prison population.

We believe a potential short inquiry by the committee could be extremely helpful in shining a light on this key area and would be happy to provide further information to the committee should you wish to explore this possibility further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Cotterill', is enclosed in a light grey rectangular box.

Pippa Cotterill,

Head of Wales Office

To:

Climate Change, Environment, and Infrastructure Committee

Culture, Communications, Welsh Language, Sport, and International Relations Committee

Economy, Trade, and Rural Affairs Committee

Equality and Social Justice Committee

Finance Committee

Health and Social Care Committee

Legislation, Justice and Constitution Committee

Local Government and Housing Committee

Petitions Committee

Public Accounts and Public Administration Committee

20 July 2021

Dear Chairs,

Children and young people's priorities for the Sixth Senedd

As the Senedd Committee responsible for scrutinising all matters relating to children and young people, it is our intention to ensure that the voices of children and young people are heard as a matter of course in our Committee's work. At our first meeting on 14 July, we agreed that this would be a key priority for us.

In order to inform our strategic planning and forward work programme, we intend to undertake a programme of tailored and meaningful engagement with children and young people. This work will begin in the autumn term. Our initial focus will be on asking children and young people what they think the priorities of the Sixth Senedd should be.

Given that the range of views held by children and young people will be of relevance to your respective committee remits, we will ensure that the results of this activity are shared with you, to ensure that your work can take account of their opinions. Our Committee team will ensure that your teams are kept up to date on the plans as they develop, and will confirm timescales in due course.

Kind regards,



Jayne Bryant MS

Chair

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

To the Chairs of:

the Climate Change, Environment, and Infrastructure Committee; the Culture, Communications, Welsh Language, Sport, and International Relations Committee; the Finance Committee; the Health and Social Care Committee; the Legislation, Justice and Constitution Committee; the Petitions Committee; and the Public Accounts and Public Administration Committee

10 August 2021

Dear Chair,

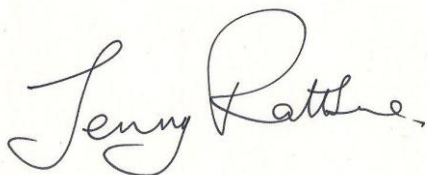
Joint working between committees in the Sixth Senedd

As the Senedd committee responsible for scrutinising all aspects of equality, social justice, and the Well-Being of Future Generations Act, our broad remit includes a number of important cross-cutting issues of mutual interest and potential joint working.

On behalf of the Equality and Social Justice Committee, I would like to invite you to consider opportunities for joint working as part of any strategic planning discussions you may be having in your Committee in the autumn term. If your Committee has any ideas for joint working you would like to discuss, please contact the clerking team.

I am writing in similar terms to other Chairs of Senedd Committees.

Yours sincerely,



Jenny Rathbone MS
Chair of the Equality and Social Justice Committee

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