

Jane Hutt, MS
Deputy Minister and Chief Whip

30 September 2020

Dear Jane

The recent Domestic Abuse Bill Legislative Consent Memorandum (LCM) has been referred to both of our committees for consideration. We each had our initial consideration of the LCM at our respective meetings on Monday 28 September and have agreed to write to you on a joint basis to seek clarity on a number of issues.

While the Bill was introduced in the House of Commons on 3 March 2020, the LCM was not laid before the Senedd until 3 August 2020. Standing Order 29.2(i) states that a LCM should be laid "normally no later than 2 weeks after introduction". While we note that clauses 3 and 65 (which are relevant clauses for the purpose of the LCM) were included at report stage in the House of Commons, it is unclear why there was a delay in laying the LCM in relation to clauses 66, 68 and 73. We would value your explanation as to why there was a delay in laying an LCM in relation to these clauses?

We have noted that the LCM itself does not provide an analysis as to how the provisions listed in the LCM are within the Senedd's legislative competence. Given that the UK Government states in the Explanatory Notes to the Bill that the matters to which the provisions in the Bill relate "are not within the legislative competence of Senedd Cymru" and therefore consent is not required, we would be grateful if you would provide the



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analysis you undertook in order to determine that clauses 3, 65, 66, 68 and 73 fall within the Senedd's competence.

We also note that clause 3, where consent is sought, has a connection with the definition of "domestic abuse" in clause 1, which in turn is connected to the definition of "personally connected" in clause 2. Why do you consider that clauses 1 and 2 do not require the Senedd's consent when you believe that clause 3 does require consent?

As we need to report on the LCM by 5 November, we would appreciate a response by Monday 12 October.

We look forward to hearing from you.

Yours sincerely



Mick Antoniw

Chair, Legislation, Justice
and Constitution Committee



John Griffiths

Chair, Equality, Local Government and
Communities Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

