

# Legislation, Justice and Constitution Committee Monitoring Report

September 2024

## key points

Following the European Parliament elections, the European People's Party group remains the largest political group with 188 seats. The Social and Democrats group remain the second largest group with 136 seats, and the newly formed Patriots of Europe is the third largest party, with 84 MEPs.

Ursula von der Leyen was elected for a second term as the European Commission President-elect and the European Commission announced the full list of Commissioners-designate. These Commissioners will be subject to confirmation hearings in the European Parliament

The new UK Government has undertaken a series of meetings and visits as part of their 'relationship reset' of the UK-EU relationship, including Secretary of State for Foreign, Commonwealth and Development Affairs, David Lammy MP, who undertook visits to Germany, Poland and Sweden in July.

The UK Government has launched negotiations on a bilateral treaty with Germany. The new partnership is expected to be agreed by early 2025.

The House of Commons has decided not to re-establish the European Scrutiny Committee and its work will now fall under the remit of the relevant departmental or other committees.



The Prime Minister confirmed that responsibility for intergovernmental relations in the UK Government will move to the Cabinet Office and that the Chancellor of the Duchy of Lancaster, Pat McFadden MP, will act as Minister for Intergovernmental Relations.

The Welsh Government announced that it will table a motion to withdraw the Senedd Cymru (Electoral Candidate Lists) Bill from further Senedd consideration. The motion will be voted on in Plenary on 24 September.

The UK Government has assessed that five Bills introduced to the UK Parliament since the general election will engage the legislative consent process.

The Senedd Cymru (Members and Elections) Act 2024 and the Elections and Elected Bodies (Wales) Act 2024 have received Royal Assent.

The Democracy and Boundary Commission Cymru published its initial proposals for new Senedd Constituencies on 3 September.

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# 1. Introduction

The Legislation, Justice and Constitution Committee has a broad remit covering a wide range of areas. This monitoring report is intended to provide Members of the Committee with an update on key policy developments related to the Committee's remit. The report covers the period to **18 September 2024**.

The Committee will consider these issues and any actions that it wishes to take in response. This report is being published to inform stakeholders of some of the issues currently under consideration by the Committee.

A glossary of key terms is included as an Annex.

## 2. UK-EU relations

### 2.1. Welsh Government cabinet

Following the [Welsh Government cabinet reshuffle](#) in September, the First Minister, Eluned Morgan MS, [retained responsibility](#) for “international relations including overseas network and Wales and Africa Wales and Europe”.

### 2.2. European Parliament elections

The European Parliament elections were held between the 6-9 June. The centre-right European People's Party (EPP) group remains the largest political group with 188 seats. The Parliament's website has a [full breakdown of the results](#).

The [newly established](#) group, Patriots of Europe, is the third largest party, with 84 MEPs. The group [was launched](#) after [Fidez, the party of the Hungarian President Victor Orbán, left the EPP prior to the election](#), alongside Austria's Freedom party, the Czech Republic's ANO. [A number of other parties joined the group](#), including France's National Rally and Italy's Lega. The Social and Democrats remain the second largest group with 136 seats.

In July, Ursula von der Leyen was [elected for a second term](#) as the European Commission President-elect. The vote was held by secret paper ballot and 401 MEPs voted in favour, 284 against, and 22 cast blank or invalid votes. In September, the European Commission [announced the list of Commissioners-designate](#), alongside their portfolios in [detailed mission letters](#). Maroš Šefčovič, has been announced as Commissioner-designate for Trade and Economic Security. the Commission's lead on relations with the UK . The High Representative for Foreign Affairs and Security Policy, Kaja Kallas, [will have responsibility for strengthening foreign and security policy cooperation](#) with the UK. These Commissioners will be subject to confirmation hearings in the European Parliament before a final vote is held to approve the Commission as a whole.

Roberta Metsola MEP, was also [elected for a second term](#) as the Parliament's President.

### 2.3. Relationship reset

**Since the UK general election in July, the new UK Government has sought to “reset” the UK's relationship with the EU and negotiate a new bilateral agreement with Germany. It has introduced legislation that would enable, if passed, the UK to align with new EU rules.**

The Secretary of State for Foreign, Commonwealth and Development Affairs, David Lammy MP, [undertook visits](#) to Germany, Poland and Sweden in July, where he discussed proposals [for a EU-UK security pact](#). The Prime Minister, Keir Starmer MP, also hosted the [fourth European Political Community summit](#) at Blenheim Palace in July and reiterated his aim to “reset” the UK-EU relationship.

The Minister for European Union Relations, Nick Thomas-Symonds MP, [also visited Brussels on 15 July](#) to meet with former European Commission Executive, Vice President Maroš Šefčovič. The UK Government's accompanying press release said the meeting:

*aims to set the ground for further discussions between the UK and EU as the UK seeks to reset its relationship with the bloc and build closer cooperation on shared issues.*

Maroš Šefčovič said he was looking forward:

*to discuss ways to strengthen our cooperation, while making the most of our existing agreements that form the cornerstone of our partnership.*

Prime Minister, Keir Starmer MP, also met with German Chancellor, Olaf Scholz, and German President, Frank-Walter Steinmeier, during a trip to Berlin in August. The UK Government said the visit would:

*launch negotiations on a new bilateral treaty, which is expected to boost business and trade, deepen defence and security cooperation, and increase joint action on illegal migration.*

It is expected that the Prime Minister's negotiating team will "spend the next six months agreeing the new treaty, with both sides wanting to agree the new partnership in early 2025".

Nils Schmid, the foreign affairs spokesman for Germany's Social Democratic Party, spoke to the BBC, saying:

*there is a constant push by the German government to bring the UK closer to Europe [...] And then, of course, there's also the idea of not only preparing the ground for a EU-UK agreement, but also to strengthen the bilateral ties between Germany and Great Britain.*

In July's King's Speech, the UK Government set out plans for a Product Safety and Metrology Bill. Politico reported that the Bill "opens the door to British alignment with EU standards" and could be a "major post-Brexit moment". The Bill aims to allow the UK to choose whether to "mirror or diverge from updated EU rules", to maintain high product safety and support businesses and economic growth. Concerns have been expressed by some commentators about the lack of powers for devolved ministers in the Bill. Professor Thomas Horsley says that the Bill 'would centralise decision-making in the hands of the UK Government'. He says 'if this is what resetting relations looks like under UK Labour, there may be cause for concern in Edinburgh, Cardiff and Belfast'. The Welsh Government is expected to publish a Legislative Consent Memorandum shortly.

## **Following the UK's general election in July, the House of Commons (HoC) decided not to re-establish the European Scrutiny Committee.**

A [press release](#), published in August, said:

*EU schemes, laws and proposals that could have an impact on the UK will now fall under the remit of the relevant departmental or other committees.*

In May, the then HoC Committee published its [Seventh Report of Session 2023–24](#), which:

- examined changes to the EU's Emissions Trading System;
- energy cooperation under the UK-EU Trade and Cooperation Agreement (TCA);
- the UK's working arrangement with Frontex; the EU's Prüm II Regulation; and
- a proposed EU regulation on vehicle recycling.

**The Institute for Government [published an article](#) setting out its view that the House of Commons is wrong not to establish a dedicated committee on UK-EU issues.**

**In May, the UK in a Changing Europe [published its latest UK-EU relations tracker for Q1 2024](#).**

It noted that the UK and EU were working well together to implement the TCA and to finalise new arrangements to allow closer cooperation between the UK and Frontex, the EU's border agency. However, the report said the former and new UK Government's dismissal of EU proposals for a youth mobility scheme revealed "enduring Brexit reflexes" and suggested low levels of trust could act as a "brake to closer relations".

In June, UK in a Changing Europe also published its [second report on UK-EU relations](#). The report said the Windsor Framework improved the "mood music" but "the substance of the relationship has changed very little subsequently", with few meetings under the TCA or Withdrawal Agreement at a senior level. The report also suggested that should a "Labour Government wish to build on the relationship it has to offer clear incentives".

## **2.4. Withdrawal Agreement**

**In May, the former European Commission Executive Vice-President, Maroš Šefčovič, and former Secretary of State for Foreign, Commonwealth and Development Affairs, Lord Cameron, [issued a joint statement](#) following meetings of the Withdrawal Agreement Joint Committee and the TCA's Partnership Council.**

In relation to the Withdrawal Agreement, the statement noted that the Joint Committee:

- reiterated citizens' rights as a "key shared priority" and agreed that joint work should intensify "with a view to finding solutions to outstanding issues"; and
- welcomed the restoration of devolved institutions in Northern Ireland and recognised the progress made against the Windsor Framework. However, there was recognition that there is "a number of outstanding challenges and upcoming milestones" and there was agreement that "intensive work should continue with renewed efforts and commitment to ensure the full implementation of all the elements of the Windsor Framework in a faithful and timely way". See Senedd Research's [Wales and the Windsor Framework](#) for more information.

The Equality and Social Justice Committee is responsible for monitoring European citizens' rights at the Senedd. Its [second annual report](#) was published in April and the [Welsh Government's response](#) was published in June. A Plenary debate is expected to take place in Autumn term. More information on the work of the Committee can be found in a [Senedd Research article](#).

#### **Specialised Committee on Financial Provisions met on 24 April. Following the meeting, a joint statement was issued.**

The statement highlighted that the meeting reviewed the annual reporting package required by the Withdrawal Agreement. It also noted "the two sides appreciated the ongoing good cooperation in this field, and committed to continue working collaboratively".

The UK and EU reviewed the seventh invoice, which had been submitted by the European Commission in April. The invoice is to be settled across four monthly instalments, with the first due at the end of June. The statement noted that "all previous payments were received in full by their due dates."

#### **Specialised Committee on Citizens' Rights met on 6 June.**

Following the meeting, [a joint statement](#) reflected the ongoing issues concerning citizens' rights between the UK and the EU. The upcoming changes to the EU's entry/exit and travel authorisation systems were also discussed. The next meeting will be held in the Autumn.

#### **Specialised Committee on the Implementation of the Windsor Framework met on 18 July.**

Following the meeting, [a joint statement](#) was issued which said the co-chairs reviews developments in the areas of agri-food, customs, medicines and trade. They also discussed outstanding implementation issues and upcoming milestones and "agreed to step up work with renewed determination to fulfil the joint commitment to the full, timely and faithful implementation of all the elements of the Framework".

#### **In May, the Withdrawal Agreement Joint Committee published its [annual report for 2023](#).**

The report reflects the focus of the UK and the EU on the Windsor Framework and citizens' rights, provides an overview of activity across the Joint Committee and Specialised Committees and concludes that the Joint Committee continues to "provide a stable basis for dialogue and cooperation".

## 2.5. Trade and Cooperation Agreement (TCA)

The joint statement summarised stated the following in regards to the TCA's Partnership Council:

- "the association of the UK to Horizon Europe and Copernicus and the signing of a Memorandum of Understanding on financial services regulatory cooperation";
- "cooperation on new technologies to facilitate the green transition";
- "the upcoming negotiations on the competition cooperation agreement" and the co-chairs "called for a regular exchange of information on market surveillance of non-food products";
- "the co-chairs called for strengthened cooperation between the European Centre for Disease Control and the UK Health Security Agency";
- "recent UK measures in the area of fisheries and the EU raised access to waters post-2026"; and
- "commitments in respect of law enforcement and judicial cooperation under the TCA" and "the co-chairs agreed to progress technical work to allow for automated searching of vehicle registration data".

The former co-chairs of the Partnership Council also responded to a recommendation from the Parliamentary Partnership Assembly on youth mobility and student exchanges, school trips and touring artists.

**The TCA and its implementation review were discussed during the Culture, Communications, Welsh Language, Sport and International Relations (CCWLSIR) Committee's international relations scrutiny session with the former First Minister, Vaughan Gething MS, on 19 June.**

On the implementation review, the former First Minister said:

*So, our starting point with the TCA review is not just looking at the governance structures, but looking to understand the approach that whoever the new UK Government is wants to take around the TCA, and we want to see barriers to trade removed.*

Former Cabinet Secretary for Economy, Energy and Welsh Language, Jeremy Miles MS, and former Cabinet Secretary for Culture and Social Justice, Lesley Griffiths MS, also wrote to the CCWLSIR Committee after they gave evidence as part of the Committee's inquiry on culture and the new relationship with the EU. In the letter, they listed the Welsh Government's four priorities for the implementation review:

- “the need for a veterinary and plant health (SPS) agreement to minimise administrative burdens and non-tariff barriers to trade”;
- “addressing issues relating to mobility of workers and provision of services, such as the new barriers faced by touring artists”;
- “the need for improved arrangements on the Mutual Recognition of Professional Qualifications to facilitate economic activity in key service sectors, such as research”; and
- “exploring options to re-join EU programmes such as Erasmus and Creative Europe”.

They added “further priorities will be developed, as we move closer to the time of the review”.

In August, a cross-committee consultation on the TCA implementation review was launched by this and three other Senedd committees with a closing date of 1 November 2024.

**The Scottish Parliament Constitution, Europe, External Affairs and Culture Committee published its annual report in May.**

The report covers the Scottish Parliament's Committee's inquiry into the review of the TCA. As part of that inquiry, the Scottish Government's Cabinet Secretary for Constitution, External Affairs and Culture, Angus Robertson MSP, gave evidence on 20 June. The Scottish Government also provided a report on its activity around the TCA, outlining the following long-term priorities for improving the agreement:

- “a comprehensive sanitary and phytosanitary agreement, to revitalise critical trade in agrifood exports”;
- “full participation in relevant EU programmes - including Erasmus+, Creative Europe, and European Territorial Cooperation”;
- “restored opportunities for professional mobility in sectors across the economy, including improved arrangements for creative professionals and mutual recognition of professional qualifications”;
- “maximised opportunities for young people to live, work, study and learn in the EU”;

- “greater cooperation on security and law enforcement”;
- “closer energy cooperation, to support shared priorities on energy security and the transition to net zero”; and
- “minimised technical barriers to trade”.

**In May, the [BBC reported](#) on the UK-EU dispute over the latter’s ban on sand eel fishing in the North Sea.**

This was the first time the EU had triggered the dispute mechanism under the TCA. In a [press release](#), the European Commission stated that:

*this measure significantly restricts access for EU vessels to this fishery. The EU questions the compatibility of the full and permanent closure of the fishery with the principles and obligations under the TCA”. There is no further update on this issue.*

### 3. Other external affairs updates

#### **UN Convention on the Rights of the Child**

In July, the [Welsh Government responded](#) to the [UN Committee on the Rights of the Child Concluding Observations Report 2023](#), which was published in June. The UN's report makes around 200 recommendations addressed to the UK Government but "where the relevant mandates fall under their jurisdiction, to the governments of the devolved administrations".

In its report, the UN Committee welcomed a number of developments in Wales including lowering the voting age to 16 and the abolition of the defence of reasonable punishment in Wales. It recommended that the implementation and impact of the abolition of the defence of reasonable punishment be monitored "with a view to informing measures aimed at promoting attitudinal change concerning corporal punishment in all settings".

In [response to a question](#) from Rhys ab Owen MS on whether the Welsh Government would enshrine the convention into Welsh law, the Welsh Government responded:

*Wales was the first country in the UK to enshrine children's rights in law through The Rights of Children and Young Persons (Wales) Measure 2011. The measure requires that Welsh Ministers must pay 'due regard' to the United Nations Convention on the Rights of the Child (UNCRC) when exercising any of their functions.*

On 16 September, the Equality and Social Justice Committee held an [evidence session on human rights](#) in Wales with a focus on the incorporation of UN treaties into Welsh law.

## 4. Intergovernmental and interparliamentary relations

**The Prime Minister, Keir Starmer MP, has confirmed that [responsibility for intergovernmental relations in the UK Government will move to the Cabinet Office](#) and that the Chancellor of the Duchy of Lancaster, Pat McFadden MP, will act as Minister for Intergovernmental Relations.**

Responsibility for devolution and the union across Wales, Scotland and Northern Ireland had previously been within the Ministry of Housing, Communities and Local Government (MHCLG). Responsibility for devolution policy in England and engagement with Mayors and local government will remain with the Deputy Prime Minister and MHCLG.

**Since the start of 2024, 12 meetings involving the UK and Welsh governments under the reformed intergovernmental structures have been reported.**

More recent meetings include the [Interministerial Group \(IMG\) for Trade](#) in April, as well as the inaugural meeting of the [Culture and Creative Industries IMG](#) in May.

The first meeting under the reformed structures (IMG for Environment, Food and Rural Affairs) since the general election [was due to take place](#) on 16 September 2024.

**In August 2024, the Prime Minister [met the new First Minister, Eluned Morgan MS, in Cardiff.](#)**

The UK Government said that discussion points would include the importance of “continuing to reset the crucial relationship” between the governments.

Also in August, the Cabinet Secretary for Transport and North Wales, Ken Skates MS, [attended a bilateral meeting](#) with UK Government Rail Minister, Lord Hendy. Discussions included developing a locally-driven and empowered business unit for Great British Railways in Wales, creating a Welsh enhancements programme and giving Wales a greater say on the specification of cross-border services.

The then Cabinet Secretary for Finance, Constitution and Cabinet Office, Rebecca Evans MS, [posted on X](#) that she had met with Eluned Morgan MS and Chancellor of the Exchequer, Rachel Reeves MP, in August.

**In April 2024, the previous UK Government published its [Intergovernmental Relations Annual Report for 2023.](#)**

The report spoke of the “expansion and progression of the systems set out in the Intergovernmental Relations Review”. It provides a breakdown of meetings by participants, policy area and forum (i.e., under reformed structures or not). The report also contains information on interparliamentary meetings, as well as a brief update on Common Frameworks.

**The Senedd Finance Committee is continuing with its [inquiry into Fiscal Intergovernmental Relations.](#)**

The Committee heard from stakeholders including the academics [Professor Nicola McEwen](#), [Professor Michael Kenny](#), [Dr Paul Anderson](#) and [Dr Ed Poole](#), the [National Audit](#)

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Office, Sir Paul Silk, and the then Cabinet Secretary for Finance, Constitution and Cabinet Office, Rebecca Evans MS.

In her session, the Cabinet Secretary said that the reformed intergovernmental structures in the UK “definitely have the potential to be very useful” in terms of facilitating discussions, but have yet to have “the opportunity to fully show what they can do”.

**In the 2024 King’s Speech, the new UK Government outlined its commitment to “strengthen its work with the devolved governments...so that the best outcomes possible are delivered for citizens across the United Kingdom”.**

The Speech included reference to “a new Council of the Nations and Regions to renew opportunities for the Prime Minister, heads of devolved governments and mayors of combined authorities to collaborate with each other”.

**Prior to dissolution, the House of Commons’ Scottish Affairs Committee was holding inquiries into intergovernmental relations.**

The first inquiry considered intergovernmental relations over the past 25 years, whilst the second focused on intergovernmental relations and the civil service.

**In June 2024, the British-Irish Council held a summit meeting on the Isle of Man. It was the 41st Summit, and was hosted by Hon Alfred Cannan MHK, Chief Minister of the Isle of Man Government.**

The Council discussed matters including the opportunities of renewable energy to stimulate economic growth and support decarbonisation efforts, and the return of the Northern Ireland Executive to the British-Irish Council table. The then Cabinet Secretary for Economy, Energy and Welsh Language, Jeremy Miles MS, represented the Welsh Government.

## 5. Legislation

### 5.1. Senedd

**There are currently three Bills progressing through the Senedd:**

- The [Health and Social Care \(Wales\) Bill](#). Stage 1 began on 20 May 2024;
- The [Welsh Language Education \(Wales\) Bill](#). Stage 1 began on 15 July 2024; and
- The [Senedd Cymru \(Electoral Candidate Lists\) Bill](#). Stage 2 began on 17 July 2024.

On 16 September 2024, the Welsh Government [announced that](#) it would table a motion to withdraw the Senedd Cymru (Electoral Candidate Lists) Bill from further Senedd consideration. The motion will be voted on in Plenary on 24 September.

**In July 2024, the Welsh Government [set out its legislative priorities for the remainder of this term in a statement to the Senedd.](#)**

The former First Minister, Vaughan Gething MS, committed to introducing at least 10 new Bills, covering areas including transport, the environment and the visitor economy.

This [Senedd Research article](#) looks at the Welsh Government's proposals in more detail.

In September 2024, the First Minister, Eluned Morgan MS, [confirmed the Welsh Government's priorities](#) for the remainder of the Senedd term. These are:

- Health – cutting NHS waiting times, including for mental health, improving access to social care and improving services for women's health;
- Green growth – creating jobs that tackle the climate crisis, help make families better off and restore nature, as well as accelerating planning decisions;
- Providing opportunities – boosting standards in schools and colleges and providing more homes for social rent; and
- Connecting communities – transforming railways and delivering a better bus network, as well as fixing roads and empowering local communities to make choices on 20mph.

### 5.2. UK

**Following the calling of a general election for 4 July 2024, a two-day “wash-up” period took place in the UK Parliament.**

The following Bills were agreed during this period:

- [British Nationality \(Irish Citizens\) Bill](#);
- [Digital Markets, Competition and Consumers Bill](#);

- [Leasehold and Freehold Bill](#);
- [Media Bill](#);
- [Paternity Leave \(Bereavement\) Bill](#);
- [Pet Abduction Bill](#);
- [Post Office \(Horizon System\) Offences Bill](#); and
- [Victims and Prisoners Bill](#).

All other Bills being considered by the UK Parliament fell upon dissolution.

**In July 2024, the King set out the [new UK Government’s legislative programme for this parliamentary session](#). The Secretary of State for Wales, Jo Stevens MP, [identified 29 Bills](#) which extend and apply to Wales, either in full or in part.**

The Welsh Government [noted that](#) it previously supported policy proposals relating to renters’ rights and tobacco and vapes, and said it would “engage with UK Government on its intentions to legislate in these areas as well as other areas of interest to Wales”.

### **5.3. Scotland**

**The Scottish Parliament’s Delegated Powers and Law Reform Committee has [launched an inquiry](#) into the impact of framework legislation and Henry VIII powers on parliamentary scrutiny and stakeholder engagement.**

The Committee’s call for views is open until 31 October 2024.

## 6. Legislative Consent

### 6.1. Legislative Consent Memoranda (LCMs)

**At the time of the general election, 115 Legislative Consent Memoranda (LCM) or Supplementary LCMs relating to 47 Bills had been laid in the Sixth Senedd.**

Two Bills that were subject to the legislative consent process in the Senedd were passed during the parliamentary wash-up ahead of the general election:

- The [Leasehold and Freehold Bill Reform Act](#); and
- The [Victims and Prisoners Act](#).

The Welsh Government [provided information](#) on the implications of the passage of the Leasehold and Freehold Reform Act.

The following Bills subject to the legislative consent process were not passed, and therefore fell:

- [Criminal Justice Bill](#);
- [Data Protection and Digital Information Bill](#);
- [Dogs \(Protection of Livestock\) \(Amendment\) Bill](#);
- [Economic Activity of Public Bodies \(Overseas Matters\) Bill](#);
- [Renters \(Reform\) Bill](#); and
- [Tobacco and Vapes Bill](#).

**The UK Government has assessed that five Bills introduced to the UK Parliament since the general election will engage the legislative consent process.**

The Welsh Government [laid an LCM](#) on the [Passenger Railway Services \(Public Ownership\) Bill](#) in August 2024, within which it recommends that the Senedd agrees to give consent.

Also in August 2024, the Welsh Government [laid an LCM](#) on the [Great British Energy Bill](#), within which it stated that the Welsh Government is “seeking further engagement with UK Government on the role of the Welsh Ministers and the Senedd with the Bill”.

In September 2024, the Welsh Government [laid an LCM](#) on the Water (Special Measures) Bill. It recommends that the Senedd agrees to give consent.

Two further Bills have been identified as engaging the legislative consent process but LCMs have not yet been laid by the Welsh Government. These are the [Product Regulation and Metrology Bill](#) and the [Renters’ Rights Bill](#).

**The Scottish Parliament’s Standards, Procedures and Public Appointments Committee has been considering a new rule to allow for motions refusing legislative consent.**

The Committee published its report in June 2024. Annexe B to the report sets out proposed changes to Standing Orders to allow for motions refusing consent.

## **6.2. Sewel Convention**

**The Secretary of State for Wales, Jo Stevens MP, confirmed the UK Government’s manifesto commitment to “strengthen” the Sewel Convention through a new memorandum of understanding.**

According to the Secretary of State, the memorandum will outline “how the UK and Devolved Governments will work together for the common good”.

**Following the King’s Speech in July 2024, the Welsh Government stated that it welcomed “the early and thoughtful engagement carried out” by the UK Government beforehand.**

It added that the “principle of legislative consent...lies at the heart of the devolution settlements”, and suggested that the previous UK Government demonstrated a lack of respect for the Sewel Convention. The Welsh Government noted that it has “long argued” that the Sewel Convention is in need of reform.

It also reaffirmed its position that, whilst primary legislation in devolved areas should be enacted by the Senedd, “there can be circumstances when it is sensible for provision, which is in the Senedd’s legislative competence, to be included in UK Parliamentary Bills, with the explicit consent of the Senedd”.

**The House of Lords Constitution Committee held further evidence sessions as part of its inquiry into The Governance of the Union: Consultation, Co-operation and Legislative Consent.**

In May 2024, the Committee heard from representatives from the territorial offices in the UK Government, and the then Cabinet Secretary for Finance, Constitution and Cabinet Office, Rebecca Evans MS, and Welsh Government Permanent Secretary, Andrew Goodall.

During the session, the former Cabinet Secretary said that UK Governments have often treated the Welsh Government as another UK department, and failed to factor in enough time for sufficient consultation on matters.

## 7. Constitution

### **The Senedd's Standards of Conduct Committee is undertaking an inquiry into Individual Member Accountability.**

The Committee will consider developing options for the introduction a recall mechanism for Members of the Senedd, the merits of the introduction of an offence of deliberate deception and increasing the sanctions available to the Committee for breaches of the Code of Conduct.

So far, the Committee has heard from stakeholders such as academics, barristers and the former Counsel General, Mick Antoniw MS.

The Committee launched a public consultation as part of its inquiry on 31 July 2024.

### **The Prime Minister has appointed Jo Stevens MP as the Secretary of State for Wales.**

The Cardiff East MP served as Shadow Secretary of State for Wales between November 2021 and May 2024. She will be joined in the Wales Office by Parliamentary Under-Secretary of State Dame Nia Griffith MP.

Several other Ministers have been appointed to the UK Government with responsibilities for constitutional matters:

- The Chancellor of the Duchy of Lancaster, Pat McFadden MP, will take on the role of Minister for Intergovernmental Relations;
- Paymaster General and Minister for the Cabinet Office (Minister for the Constitution and European Union Relations), Nick Thomas-Symonds MP, has responsibility for Constitution and House of Lords reform; and
- Minister of State (Lords Minister), Lord Hanson, has responsibility for Union and Devolution.

### **Ruth Jones MP has been elected as Chair of the House of Commons Welsh Affairs Committee.**

The Newport West and Islwyn MP was a member of the previous Committee between June 2020 and May 2024.

## 8. Senedd reform and elections

**The Senedd Cymru (Members and Elections) Act 2024 was passed by the Senedd on 8 May 2024, and received Royal Assent on 24 June 2024. The Act's provisions will come into force for the next scheduled Senedd general election in May 2026.**

The Act will introduce several changes, including an increase in Members of the Senedd from 60 to 96, a new closed list electoral system, a change to the frequency of Senedd elections to every four years, and the introduction of a requirement for Senedd candidates and Members to be resident in Wales.

**The Elections and Elected Bodies (Wales) Act 2024 was passed by the Senedd on 9 July 2024. It received Royal Assent on 10 September 2024.**

Measures introduced by the Act include piloting of electoral registration without application (automatic voter registration), as well as the creation of a duty on Welsh Ministers to put in place arrangements aimed at improving diversity within the Senedd and local government.

**The Senedd Cymru (Electoral Candidate Lists) Bill, which would introduce candidate quotas for women at Senedd elections, is currently at Stage 2. The general principles of the Bill were agreed on 16 July 2024.**

The Reform Bill Committee's [Stage 1 report on the Bill](#) included 25 recommendations. In its response, the [Welsh Government announced](#) that the Bill would not be implemented until the 2030 election, to protect "the outcome and integrity of the 2026 Senedd election".

On 16 September 2024, the Welsh Government [announced that](#) it would table a motion to withdraw the Senedd Cymru (Electoral Candidate Lists) Bill from further Senedd consideration. The motion will be voted on in Plenary on 24 September.

**The Democracy and Boundary Commission Cymru published its [initial proposals for new Senedd Constituencies](#) on 3 September 2024.**

The proposals, which suggest pairings of Westminster constituencies to be used for Senedd elections, are open for consultation until 30 September. A second round of consultation on any revisions made to the proposals will be opened in December.

**In July 2024, the [Electoral Commission's Annual Report and Accounts 2023-24](#) were laid before the Senedd.**

The report contains an [overview of work on devolved matters in Wales](#).

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## 9. UK Internal Market Act

### **Disagreements continued between the devolved governments and the previous UK Government regarding deposit return schemes (DRS) and the use of the UK Internal Market Act.**

In April 2024, the then Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs, Robbie Moore MP, when discussing the potential inclusion of glass within DRSs, said that the UK Government would use the Act to “protect the UK internal market and facilitate free trade within the UK”.

In a written statement released on the same day, the Cabinet Secretary for Climate Change and Rural Affairs, Huw Irranca-Davies MS, noted “the threat the UK Government have made to repeat their actions in Scotland by using the Internal Market Act to restrict our ability to go further and impose a watered-down DRS on Wales”.

He added that:

*... Our objection to the Act lies in the fact that it is open to abuse as it places all the power with the UK Government and goes far beyond the structures needed to ensure economic and regulatory cooperation between the nations of the UK.*

In the new UK Government, Minister of State (Minister for Trade Policy and Economic Security), Douglas Alexander MP, has responsibility for the UK internal market.

### **In an evidence session with the Climate Change, Environment, and Infrastructure Committee, Keep Wales Tidy suggested that the Act is having a “chilling effect” on environmental policy.**

They added that the Act has been “used politically”, and that it “brings everyone down to the lowest common denominator”.

### **The Office for the Internal Market (OIM) launched a study to understand how businesses respond to single-use plastic regulations across the UK internal market.**

The OIM wants to hear from stakeholders, including SMEs, about their experience of dealing with regulatory changes in relation to single-use plastics and how they have responded to these changes. The OIM wants to know the extent to which differences in the timing or substance of regulations in different parts of the UK have impacted policymaking and innovation.

### **The Competition and Markets Authority’s (CMA) Annual Report and Accounts 2023/24 were laid before the Senedd in July 2024.**

A main function of the CMA is to provide advice, reporting and monitoring in relation to the UK internal market, through the Office for the Internal Market.

**Kenneth Gibson MSP led a Members' Business debate in the Scottish Parliament calling for the repeal of the UK Internal Market Act.**

During the debate, the Cabinet Secretary for Constitution, External Affairs and Culture, Angus Robertson MSP, outlined the Scottish Government's continued opposition to the Act and offered to work with the new UK Government and the other devolved governments to "build a better system that is based on agreement and respect for the principle that drove the delivery of devolution: that decisions affecting Scotland are best taken in Scotland by this democratically elected Parliament".

## 10. Justice

### 10.1. Wales

**In May 2024, the Fifth Annual Report of the President of Welsh Tribunals was published.**

The report was the first to be published since Sir Gary Hickinbottom was appointed in May 2023.

The report provides an overview of the applications made to the Welsh Tribunals, the expenditure of the Welsh Tribunals and highlights work underway to understand the Welsh language skills of members of the Tribunals.

**In July 2024, the Committee for the Scrutiny of the First Minister questioned the former First Minister on issues relating to the prison system in Wales. Matters discussed included early release of prisoners, women prisoners and the capacity of the prison estate.**

Vaughan Gething MS spoke of the “really distressed state” of the prison estate across the UK, as well as the importance of rehabilitation.

**The Welsh Government is seeking to commission a programme of research to “inform and assist with preparations for the potential devolution of policing and justice functions to Wales”.**

The research will respond to “various commissions into the constitutional arrangements in Wales and their findings around justice, as well as contributing and building upon existing research relating to the devolution of justice”.

**In April 2024, details of a memorandum of understanding between the Welsh Government and HM Prison and Probation Service were published.**

The agreement relates to the funding and delivery of offender learning and skills training in Wales, and lasts for three years (1 April 2022 to 31 March 2025).

**In August 2024, the Welsh Government published the Better Learning, Better Chances: prison learning and skills provision in Wales policy, which sets out its vision for a safe and inclusive learning environment in the Welsh prison estate.**

The publication is a recommendation from Reforming Outcomes: A review of Offender Education in Wales, which is an independent insight into the delivery of education and employability support in prisons and for prisoners on release in the community across Wales.

### 10.2. UK

**The Prime Minister has appointed Shabana Mahmood MP as Lord Chancellor and Secretary of State for Justice.**

She will be supported in her role by Lord Timpson and Heidi Alexander MP as Ministers of State. The Member of Parliament for Pontypridd, Alex Davies-Jones, has been appointed as Parliamentary Under-Secretary of State.

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**The Welsh Affairs Committee of the previous Parliament held further sessions as part of its inquiry on Prisons in Wales before the dissolution of the UK Parliament in May.**

The Committee heard from [heads of charities and county council representatives](#), as well as the [Executive Director for HM Prisons and Probation Service in Wales, Ian Barrow](#), and [former Minister for Prisons, Parole and Probation, Edward Argar MP](#).

The Committee did not publish a report, but wrote to the former Secretary of State for Wales, David TC Davies, ahead of the dissolution of Parliament to outline [issues identified in its inquiry](#).

**In July 2024, the Lord Chancellor and Secretary of State for Justice, Shabana Mahmood MP, confirmed that the proportion of certain custodial sentences served in prison would be temporarily reduced from 50% to 40%.**

The Lord Chancellor [estimated](#) that this would lead to around 5,500 offenders being released in September and October.

**In July 2024, the House of Commons debated prison capacity. The Lord Chancellor and Secretary of State for Justice, Shabana Mahmood MP, said that prisons are “at the point of collapse”.**

She noted that the UK Government has introduced a statutory instrument to temporarily reduce the proportion of certain custodial sentences served in prison from [50% to 40%](#).

Liz Saville Roberts MP asked about the establishment of a women’s residential centre in Wales, whilst Tonia Antoniazzi MP raised issues at HMP Parc.

**Andy Slaughter MP has been elected as the [Chair of the House of Commons Justice Committee](#).**

Mr Slaughter, the Member of Parliament for Hammersmith, has previously [served twice](#) on the Committee, in addition to spells as a Shadow Justice Minister and Shadow Solicitor General.

**In recent months, data has been published on the prison estate, including on performance ratings and population figures.**

In March 2024, the [Ministry of Justice](#) and [HM Prison and Probation Service](#) published [prison performance data](#) for 2022 to 2023.

In July 2024, several sets of statistics were published, including:

- [annual performance ratings](#) of prison establishments in England and Wales;
- [updated weekly](#) and [monthly prison population figures](#) for 2024; and
- [statistics on deaths in prison custody](#) to June 2024 and Assaults and Self-harm to March 2024.

**In May 2024, the former Lord Chancellor approved the reappointment of Professor Penney Lewis as a Commissioner of the Law Commission of England and Wales.**

Professor Lewis has been a Law Commissioner since January 2020. She has been reappointed from January 2025 to December 2029.














### **10.3. Scotland**

**In April 2024, the Scottish Government published a paper on justice in an independent Scotland.**

The paper sets out the Scottish Government's proposals for justice in an independent Scotland, and "sets out the benefits that the full powers of independence could bring".

## 11. Annex: Glossary

### Post-Brexit framework: key terms

International obligations		International duties and commitments of the UK
Trade agreements		Establish new trading arrangements between the UK and other countries
International agreements		Agreements between the UK and other countries or organisations
UK-EU Trade & Cooperation Agreement		Establishes the new UK-EU relationship
UK-EU Withdrawal Agreement		Sets the terms of the UK's exit from the EU
Protocol on Ireland-Northern Ireland		Part of the Withdrawal Agreement to avoid a hard border on the island of Ireland
EU (Withdrawal) Act 2018		Converted EU law to domestic law, stops new EU laws having automatic effect in the UK and gives Ministers powers to correct the statute book after leaving the EU
EU (Withdrawal Agreement) Act 2020		Implements the Withdrawal Agreement
EU (Future Relationship) Act 2020		Implements the Trade & Cooperation Agreement
Internal Market Act 2020		Establishes rules for the regulation of goods, services and qualifications across the UK
Common Frameworks		Set up UK-wide frameworks for some areas previously governed by the EU
Implementing regulations		Regulations passed in the Senedd or UK Parliament to implement the new arrangements
Correcting regulations		Regulations passed in the Senedd or UK Parliament to make EU laws retained after leaving the EU workable in a domestic context

