

## Capacity of the Assembly

WEN Wales welcomes the opportunity to support the National Assembly for Wales Committee on the Assembly Electoral Reform's inquiry in the Capacity of the Assembly. Like many stakeholders, WEN Wales supports the call for an increase to the size of the Assembly in order to increase scrutiny and efficiency.

We particularly support the incorporation of quotas as outlined by the Expert Panel on Electoral Reform regarding the use of gender quotas and quotas for diversity and have included a briefing paper laying out the case of quotas in Appendix 1. We support the proposal from the Expert Panel of the use of the Single Transferable Vote with integrated equalities quotas, as laid out in the official response from the panel.<sup>1</sup>

There is strong evidence that quotas work:

- Research shows that quotas are the **“single most effective tool for ‘fast tracking’ women’s representation in elected bodies for government.”**<sup>2</sup>
- Among the twenty Organization for Security and Co-operation in Europe (OSCE) countries registering the sharpest growth in the proportion of women in parliament during the last decade...**half had introduced legal quotas. By contrast, among the twenty OSCE countries lagging behind in growth...none had implemented legal quotas.**<sup>3</sup>
- **Ireland** has successfully used quotas requiring that at least 30 per cent of the candidates each party stands nationally are female (rising to 40 per cent after seven years). **The percentage of women candidates increased 90 per cent at the 2016 election** compared to the 2011 election, with a corresponding **40 per cent increase in the number of women elected**—35 in 2016 compared with 25 in 2011.<sup>4</sup>
- **100 Countries** world-wide now have some form of gender quotas in place and 40 also use them for intersectional groups such as BAME women.

Regardless of whether the Assembly size increases, it is essential that parental leave for Members is supported using locum Members and proxy voting. Creche provisions would also help safeguard the ‘family friendly’ policies that currently exist within the Assembly. We call for a creche provision at the National Assembly, as there is in Westminster, to better support caring responsibilities held by Members, particularly considering the limited provisions for parental leave. Enhancing the ‘family friendly’ ethos of the Assembly is paramount to achieving and maintaining diversity amongst Members. If this ethos was diluted, WEN Wales would expect to see additional barriers and possible decrease to the numbers of women seeking elected office at the Assembly or fulfilling the role of a Member, particularly with issues around caring responsibilities, which disproportionately fall on women.

<sup>1</sup> A Parliament that works for Wales, Report of the Expert Panel on Assembly Electoral Reform, November 2017

<sup>2</sup> Drude Dahlerup et al., Atlas of Electoral Gender Quotas, International Institute for Democracy and Electoral Assistance [IDEA], IPU and Stockholm University, 2013.

<sup>3</sup> Norris, P. and Krook, M. for OSCE, Gender equality in elected office: a six-step action plan, 2011

<sup>4</sup> Brennan, M. and Buckley, F. ‘The Irish legislative gender quota: the first election’, Administration, vol 65(2), May 2017

### ADDRESS

WEN Wales,  
c/o Chwarae Teg,  
Anchor Court, Keen Road,  
Cardiff CF24 5JW

### CONTACT

admin@wenwales.org.uk  
wenwales.org.uk

### INFO

Charity Number: 1145706  
Company Number: 07891533



We believe that a healthy Assembly must be more diverse. As you will be aware, the Assembly has never had a Black, Asian or minority ethnic (BAME) woman Member, which is unhealthy for democracy as it does not reflect Wales' national demographic figures. It further entrenches lack of diversity if young political women cannot see anyone who looks like them in the Senedd.

We endorse Bethan Sayed AM's call for 'locum' Members of the Assembly<sup>5</sup>, to support Members for up to 12 months of parental leave. Currently, the provisions mean that Members would have to decide whether to come to the Chamber to vote, as there is no alternative voting system for those on parental leave. As there is no creche on site, there is not a joined-up approach in relation to the caring responsibilities of members on leave and voting responsibilities.

Alternatively, we would also press for the Senedd Commission to implement virtual plenary meetings and remote voting as well as fully rolling out the use of digital Committee sessions and evidence gathering. ERS Cymru have pressed for these changes now to ensure proper scrutiny during the Covid-19 pandemic, however we believe they would work extremely well for example during parental leave.<sup>6</sup>

More Members in the Assembly may mean an increase in diversity, but there are significant barriers to elected office in Wales that need to be addressed – we therefore call on the Committee to lobby Welsh Government to ensure that an Assess to Elected Office Fund is available to candidates seeking elected office, such as election to the 6<sup>th</sup> Assembly, and that such a fund is available for disabled candidates, in addition to a similar scheme for others who experience additional barriers, such as low-income or childcare constraints and BAME women. Welsh Government has stated that funding for disabled candidates will be in place in time for the local government elections in 2022 however we are extremely disappointed it is not available for the next Welsh Parliament elections in 2021 as this will lead to a less diverse assembly.

The case for increased Members in Wales is marred by the very low understanding of the general population about the role of the Assembly and its Members, and how this relates to the roles of local councillors and Members of UK Parliament. Therefore, we support the Electoral Reform Society Cymru's call for impartial compulsory political education in educational institutions, alongside a wider national awareness-raising campaign. We believe that without this, the necessity of increasing the number of Members in the Senedd will be ill-understood and widely unpopular.

We believe that increase opportunities for cross-party working, through mechanisms such as Cross Party Groups, are very welcome and would increase the efficiency of the Assembly. WEN Wales holds the secretariat for the Cross Party Group on Women and while many Members are supportive of the work of the group, they often do not have the capacity to attend meetings and thus hear from the expertise in the room, and miss an opportunity for cross-party working on areas of shared interest.

COVID-19 is dramatically changing how the Assembly and all places of work are operating. We hope that any good practices that have been adopted during this pandemic will become permanent policies within the Assembly, rather than a resumption of 'business as normal' following this global crisis.

<sup>5</sup> <https://www.bbc.co.uk/news/uk-wales-50159517> (BBC News, 24<sup>th</sup> October 2019).

<sup>6</sup> <https://nation.cymru/news/campaigners-call-for-remote-voting-at-senedd-amid-concerns-over-collapse-in-scrutiny/>

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### Recommendations:

- Establish a creche at the Welsh Parliament for Members, their staff and constituents on Parliament business
- Enable a system of 'locum' Members for Members on Parental leave
- Enable a system of proxy voting
- The Committee should raise concerns about the lack of Assess to Elected Office Fund with Welsh Government.
- Good work practices adopted during the COVID-19 pandemic should be made permanent, where appropriate.

### About WEN Wales:

WEN Wales is a representative women's network<sup>7</sup> and human rights organisation. Our Vision is a transformed Wales, free from gender discrimination. We call for a Wales where all women and men have equal authority & opportunity to shape society and their own lives.

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<sup>7</sup> Over 1300 individual members and organisational members, including women's rights and allied organisations from across the third sector, academia, international and national NGOs.

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Appendix 1:

**BRIEFING PAPER**

**The case for quotas to deliver equal and diverse representation**

WEN Wales favours an electoral system that results in gender balance or 'Equal Power and Equal Voice' in the Senedd and in Local Government in Wales. The system must also ensure that the voices of those with protected characteristics are represented. **We therefore support the use of legally binding prescriptive gender quotas with sanctions or incentives.**

- WEN Wales supports the findings of the Expert Panel on Assembly Electoral Reform, who support the Single Transferable Vote with **the integration of gender quotas into the system.**
- WEN Wales believes that women's participation and the success of women as candidates in elections are vital indicators of the health of a representative democracy, and an integral part of achieving a more equal Wales, in line with the ambitions of the Wellbeing of Future Generations (Wales) Act 2015.
- Gender quotas should be enforced through legislation, and not just through voluntary measures as we believe we need to 'bake in' gender equality into our electoral system or we will continue to see reductions in numbers of woman AMs, low number of women as Councillors and a lack of diversity of political representatives too.

**Evidence supporting quotas**

- Research shows that quotas are the **"single most effective tool for 'fast tracking' women's representation in elected bodies for government."**<sup>8</sup>
- Among the twenty Organization for Security and Co-operation in Europe (OSCE) countries registering the sharpest growth in the proportion of women in parliament during the last decade...**half had introduced legal quotas. By contrast, among the twenty OSCE countries lagging behind in growth...none had implemented legal quotas.**<sup>9</sup>
- There is international backing for gender quotas. Various international institutions, including the United Nations Committee on the Elimination of Discrimination (**CEDAW**), the Beijing Platform for Action, the EU and the Council of Europe support their use.
- **Ireland** has successfully used quotas requiring that at least 30 per cent of the candidates each party stands nationally are female (rising to 40 per cent after seven years). **The percentage of women candidates increased 90 per cent at the 2016 election** compared to the 2011 election, with a corresponding **40 per cent increase in the number of women elected**—35 in 2016 compared with 25 in 2011.<sup>10</sup>
- **100 Countries** world-wide now have some form of gender quotas in place and 40 also use them for intersectional groups such as BAME women.

<sup>8</sup> Drude Dahlerup et al., Atlas of Electoral Gender Quotas, International Institute for Democracy and Electoral Assistance [IDEA], IPU and Stockholm University, 2013.

<sup>9</sup> Norris, P. and Krook, M. for OSCE, Gender equality in elected office: a six-step action plan, 2011

<sup>10</sup> Brennan, M. and Buckley, F. 'The Irish legislative gender quota: the first election', Administration, vol 65(2), May 2017

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- A report published by the United Nations in 2012 found that **out of the 59 countries that held elections in 2011, 17 of them had quotas**. In those countries, women **gained 27% of parliamentary seats compared to 16% in those without**.<sup>11</sup>

## Types of Quota

Different types of gender quota have been used in different countries, depending on the electoral system and local circumstances. The Expert Panel on Electoral reform<sup>12</sup> describes the three main types as:

- **Candidate quotas which introduce a 'floor'** for the proportion of male or female candidates a party stands for election. These could be applied in the form of constituency twinning for First Past The Post (FPTP) seats. They could also be applied to multimember systems such as STV or Flexible List at a constituency or a national level. Parties in Scandinavia, Spain and Austria have voluntarily adopted similar quotas, ranging from 33 per cent to 50 per cent.
- Requirements for **the ordering of candidates on any list** element of the system. Voluntary quotas of this nature have been used by parties in Wales in Assembly elections, for example zipping of regional candidate lists. (I.e. listing candidates alternately according to their gender)
- **'Reserved seats'** to which only female candidates could be elected. This type of quota is widely used in South Asia, the Arab region and sub Saharan Africa.

## Examples of Incentives used:

- **Croatia** has legally binding quotas and uses incentives - for each MP representing an underrepresented gender, political parties receive an **additional 10 per cent of the amount envisaged** per individual MP;
- **Bosnia and Herzegovina**: where 10 per cent of the funding provided to political parties is distributed to parties in proportion to the number of seats held by MPs of the gender which is less represented in the legislature.
- **Two for the price of one deposits** for two candidates of different genders could be used in Wales —this would appear to us to be proportionate in the context of seeking to ensure that the gender balance in the Assembly reflects the gender balance in the communities it serves.<sup>13</sup>

## What needs to happen next

After decades of campaigning by NGOs to make change, women – who make up 52% of the population in Wales - still do not have equality in terms of representation in politics. In Welsh local government just 28% of local councillors, four of the 22 council leaders (18%) and 27% of Council Cabinet members are women. One

<sup>11</sup> <https://www.theguardian.com/politics/2013/aug/20/quotas-women-parliament-authors-edinburgh-book-festival>

<sup>12</sup> A Parliament that works for Wales, Report of the Expert Panel on Assembly Electoral Reform, November 2017

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local authority cabinet is 100% male. At the rate of change to date, gender balance in Welsh councils is unlikely before 2073.

We have a unique window of opportunity to progress the diversity and equality of representation agenda and push for legislative and party political change to enshrine diversity into our political system for years to come. Wales is at a tipping point and, with legislative quotas, Wales could lead the way and be a trail blazer in terms of showing the rest of the UK how quotas can be used.

### **Political Context:**

In 2017 the Wales Act devolved power to Wales to have control over its own electoral system. An expert panel on Assembly reform, Chaired by Prof. Laura McAllister and appointed by the Llywydd (Presiding Officer) recommended introducing gender quotas for the 2021 Assembly elections as part of a new electoral system with STV or Flexible List PR, lowering the age of voting to 16 and changing the name of the Welsh Assembly to Senedd Cymru.

This resulted recently in 'Phase 1' of the Electoral Reform legislation - The Senedd and Elections (Wales) Bill however it was not bold enough in tackling equality and diversity partly as the Presiding officer felt there was not sufficient public support, though it extended the franchise to 16 year olds. The Liberal Democrats said it is an "important step" that will "ensure the voices of young people are heard within Welsh politics and help us create a better Welsh democracy."

Phase 2 of the reforms are likely to take place after the May 2021 elections and will include looking at the electoral system and the enlarging of the Assembly. **We see the legislation on quotas as being a perfect fit with this reform Bill as it goes hand in hand with STV and an enlarged Senedd.**

### **Conclusion**

WEN Wales believes that legally binding quotas, with sanctions or incentives, are essential to ensure we do not continue to see a reduction in the numbers of women AMs elected to the Senedd and the continuation of low numbers of women elected in Local councils.

We are calling for:

- **All Political Parties to include a commitment to legally binding quotas in their Manifestos for the 2021 elections**
- **The Local Government and Elections (Wales) Bill and forthcoming legislation on Reform of the Assembly should include provisions on legally binding quotas.**

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