



To
Jayne Bryant MS
Chair of the Senedd Standards Committee

Dear Jayne,

Thank you for the opportunity to comment on the proposed new code of conduct for members of the Senedd.

For the most part this revision of the previous code of conduct appears to be a sensible update and simplification. However, there are a few specific issues which we would like to bring to the attention of the Committee for consideration.

Part 2 Section 8 Point 2

It is our view that 'nationality' should also be a characteristic protected from discrimination in addition to those presently listed in the draft. We believe this is in keeping with the spirit of Wales being an open and welcoming society. Where someone was born should not diminish that individual's ability to play a full part in Welsh political and civic society.

Part 3 Section 9 Point 6

The language of this point raises an interesting question as to whether the code only protects against 'personal attack' on an individual or if it would also apply to a group of people or a sector. It is important that groups, including those who may be viewed as pursuing politically contentious aims, are free to make their case to MSs without abuse. There is the risk that such a scenario could occur if it was deemed to be politically expedient by an MS to launch an attack on such a group. By extending coverage from personal attack to include attacks on groups or sectors it would help ensure that in Wales we can disagree on policy in a polite and respectful manner.

Part 3 Section 9 Point 10

We would welcome this point being tightened to prevent scope for MSs to use public money paid to them as part of their salary or expenses for donations to causes in their constituency. Even when well-intentioned the consequence of such use is to boost their re-election prospects with an unfair advantage over a challenger candidate. If an MS does not wish to take their whole salary and for it to be donated, this could be allowed by the funds going to a central pot administered by a non-political appointee for dissemination to a charity.

Part 4

The lack of a timeframe for complaints and investigations is a flaw in this section. While it is accepted that the length of consultations will vary depending on the issue, there should be scope to set down clear milestone timeframes as to when a complainant should expect to see progress and hear updates. Without a timeframe included the code of conduct lacks the rigour necessary to earn public confidence.

We also think it is essential that there is clear guidance as to what a complainant should expect. This would include that they should be subject to reasonable and appropriate questioning. Any inquiry into an elected members' misdemeanour regarding a member of the public should ensure that the questioning is neutral, relevant and clearly not biased in favour of either party. Both parties need to be treated as innocent until proven guilty, as any such legitimate legal proceedings would be.

Thank you for considering each of these points. Should you require any further clarification please feel free to make contact.

Yours sincerely,

Nicolas Webb

Policy Officer, Public Affairs Cymru