

# **Rebecca Evans MS, Cabinet Secretary for Finance, Constitution & Cabinet Office – Written Evidence (GOU0010)**

Dear Baroness Drake CBE,

Thank you again for the opportunity to give oral evidence to the Committee on 22 May. I understand that the Committee has requested a list of instances where the UK Parliament has legislated without the consent of the Senedd, with the intention of publishing this list as formal evidence.

To assist, Annex 1 of this letter outlines occasions since 2020 when the UK Government acknowledged that the Sewel Convention was engaged and carried legislation through Parliament despite not having the Senedd's consent. It is the Welsh Government's view that 2020 marked a turning point in the operation of the Sewel Convention; after that point, we perceived an increasing and unconstitutional disregard for the Sewel Convention from the former UK Government.

Annex 2 provides a list of instances since 2020 where the UK Government did not consider the legislative consent process to be applicable, whilst the Welsh Government and the Senedd did. Despite the Senedd withholding consent in these cases, the UK Government proceeded to take this legislation through Parliament. Disagreement about the applicability of the Sewel Convention demonstrates the need for reform of the Convention, to secure transparency and ensure that it operates on a more predictable basis in the future. The Welsh Government has accepted the Recommendation of the Independent Commission on the Constitutional Future of Wales on this issue.

## **ANNEX 1**

### **Instances since 2020 where UK Parliament legislated without Senedd consent, and where UK Government and Welsh Government agreed the Sewel Convention was engaged.**

	<b>Act</b>
<b>1</b>	UK Internal Market Act 2020
<b>2</b>	European Union (Withdrawal Agreement) Act 2020
<b>3</b>	European Union (Future Relationship) Act 2020
<b>4</b>	Agriculture Act 2020
<b>5</b>	Animal Welfare (Sentencing) Act 2021
<b>6</b>	Professional Qualifications Act 2022
<b>7</b>	Subsidy Control Act 2022
<b>8</b>	Trade (Australia and New Zealand) Act 2023
<b>9</b>	Procurement Act 2023 <sup>1</sup>
<b>10</b>	Retained EU Law (Revocation and Reform) Act 2023
<b>11</b>	Energy Act 2023
<b>12</b>	Leasehold and Freehold Act 2024

<sup>1</sup> Two motions were laid, with consent being given in part, and withheld in part.

<b>13</b>	Victims and Prisoners Act 2024
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## **ANNEX 2**

**Instances since 2020 where UK Parliament legislated without Senedd consent, where UK Government did not consider the legislative consent process to be engaged.**

	<b>Act</b>
12	Nationality and Borders Act 2022
13	Police, Crime, Sentencing and Courts Act 2022 <sup>2</sup>
14	Genetic Technology (Precision Breeding) Act 2023
15	Illegal Immigration Act 2023
16	Strikes (Minimum Service Levels) Act 2023
17	Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act 2024 <sup>3</sup>

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<sup>2</sup> Two motions were laid, with consent being given in part, and withheld in part.

<sup>3</sup> Two motions were laid, with consent being given in part, and withheld in part.