

## **Cymru Yfory : background**

*Cymru Yfory – Tomorrow’s Wales* was created in the Spring of 2004 following the publication of the independent Richard Commission report in March 2004. This report recommended the transformation of the National Assembly for Wales into a fully-fledged legislative body, with 80 members elected by the single transferable vote proportional electoral system. As well as campaigning for the implementation of the Richard proposals, *Cymru Yfory* works to educate and engage civil society with the constitutional debate in Wales, and to increase understanding of the new powers and procedures of the National Assembly for Wales.

*Cymru Yfory is chaired by the Most Reverend Dr Barry Morgan, Archbishop of Wales. Its organising committee comprises representatives from across the political spectrum, from across civil society in Wales.*

As a new member of Cymru Yfory Executive, I will reflect on the impact of devolution on the third sector in Wales and the current devolution arrangements in terms of “the opportunities, frustrations and dangers” for civil society.

I'll conclude with some thoughts about the challenges for the third sector in Wales to help to shape and influence the future development of Welsh public policy, and our engagement with the work of the All-Wales Convention.

## **Wales – the devolution journey**

Devolution has commonly been described in Wales as a journey not an event. To date the journey of change has been from a Westminster based Welsh Office with 8 County and 32 District authorities; to the current 2006 Government of Wales Act where the Assembly has developed to have limited primary legislative powers via Legislative Competence Orders and Measures. It has also moved on from the collaborative approach of the first Assembly to the current separation of powers between the Welsh Assembly Government and the scrutiny role of the National Assembly – but not as yet to the full recommendations of the Richard Commission.

The policy areas which are fully devolved to the Assembly include social justice, education, health and social services, housing, local

government, economic development, rural affairs and equalities

## **The Third Sector and Devolution**

The legislation setting up the Assembly includes a duty to work with the Third (voluntary sector) the Assembly has a Third Sector Scheme, operates relationships with the sector through a Partnership Council and Wales offers the sector unprecedented access to politicians and policy makers, whether for campaigning on behalf of clients or citizens or for influencing and delivering service delivery. The capacity of the sector to respond is difficult however some progress in the shape of support through WVCA to smaller organizations wanting to use the new opportunities to influence policy through BLF funded support workers.

Colleagues in London, Belfast and Edinburgh still look with envy on our access to political advisers, politicians and Ministers and the ability of the sector to influence policy and practice.

## **Encouraging participation**

Since the Government of Wales Act 2006 was passed, Cymru Yfory has worked hard to inform civil society of its implications for how Wales is governed and how the new powers and procedures would affect organisations who wish to engage with the Assembly and Assembly Government. The use of the new powers – LCOs, Measures complex and slow process – no ability to change base budget – Westminster allocation (by negotiation of Barnett settlement).

## **Opportunities and Dangers**

- Access to politicians and Ministers far easier in Wales. Small country and building relationships is far easier. Access to key decision makers (Ministers and civil servants) often at the end of a telephone.
- Many civil society groups have been able to have a major influence on policy making. From Citizens Advice Cymru point of view, free prescriptions a major victory
- The greater interaction between the Executive and Third sector groups has enabled civil society to have a significant impact upon policy making in Wales. We have witnessed the growth of a distinct Welsh policy area which has been largely

- shaped in conjunction with Third Sector groups.
- Arguably policy making and delivery in Wales is far more inclusive than Westminster. It is definitely far more in tune with core Welsh values – collaboration v competition etc
  - Civil Society played a major role in legitimising devolution following 1999. The fact that there was a quick reaction by many organisation to developing Welsh structures which entrenched devolution as a concept quickly
  - Dangers however posed by this closeness. Independence of the sector can sometimes be compromised. For democracy to be pluralist and participatory, civil society has to be able to positively criticise Government free from reprisal.
  - The Executive has to be able to accommodate legitimate criticism if democracy is to flourish
  - Civil society has been at the forefront in exposing the limitations of current the current settlement and building a consensus behind the need for greater powers.

- Current 2006 Government of Wales Act settlement is particularly frustrating. The fact that the National Assembly can now legislate is a huge psychological step forward – but the process is laborious and over bureaucratic.
- Full use of the current and previous powers needs to be demonstrated.
- 2006 Act, particularly the separation of powers (the TSPC relating with the WAG rather than the whole Assembly) will however mean that the lobbying activities of civil society will begin to concentrate more and more on the legislature.
- The ability of Assembly Members to ballot for Legislative Competence Orders and Assembly Measures mean that the legislature now provides a valuable vehicle for third sector groups to directly implement their agenda.

## **The future**

### **The All-Wales Convention**

Over the next two years Cymru Yfory will continue to engage civil society in the debate on how devolution in Wales is to move forward by

ensuring a greater understanding of the powers and procedures of the National Assembly within civil society. We believe that for devolution and the National Assembly for Wales to provide representative and accountable government, then the experiences that civil society have of the process to date must be taken fully into account. We also believe strongly that the Convention must be prepared to consider all arguments put to it by the people of Wales, and not be confined by any relatively narrow government agenda.

The All-Wales Convention, just established, provides a historic opportunity for the people of Wales to have their say on devolution and on what the future of Welsh governance should look like. No-one has more experience of the effects of the devolution settlement than civil society, and for that reason it is vital that they make their, our, voices heard to the Convention. However, Cymru Yfory is aware that many organisations lack the time and resources to engage fully with such a process, and so a central aim over the coming year is to support civil society bodies by providing them with the information and knowledge they need to engage effectively.

We want to ensure that all voices are heard in the debate, and that the process is not exclusive, particularly to the governing parties, as has been the case in the past. We also believe that input from civil society, as the true experts on what it means to engage with the devolution settlement, will ensure that the Convention works towards the best and most enduring settlement for Wales, rather than one that is politically expedient. Delighted that one of the Executive of the Convention is specifically drawn from the third sector and that there are others with background from within the sector.

## **Challenges for the Future for the Third Sector**

- The organisational structures of Third Sector organisations need to continue to adapt as democracy in Wales develops.
- The UK wide structures of many bodies continue to be too rigid to take advantage of the growing opportunities that will be available to them.
- Capacity of Third Sector groups in Wales is currently a major issue and matters will only get worse as the national question advances.

- Civil Society has to keep pace with the development of Welsh democracy, especially considering that primary powers are around the corner.

## **Two-pronged engagement**

Over the coming year then, Cymru Yfory and civil society in general will need a two-pronged approach to engagement and participation. On the one hand we will need to continue our engagement with the Welsh Assembly Government as it goes about its business of law-making, while also engaging with the Convention as it discusses the future model of Welsh devolution.

There are encouraging signs that civil society is increasingly engaging with the National Assembly. Innovative new methods such as the petitions procedure have seen over a hundred petitions submitted in its first year of operation. But the work of the All-Wales Convention will be a new challenge to civil society, and one it must meet effectively if its voice is to be heard and if the future of devolution is to be shaped by those who have the greatest interest in it.