

Business Committee

Response to the Review of Standing Orders

Multiple Sclerosis Society Wales



Multiple Sclerosis Society
Cymru

ABOUT MULTIPLE SCLEROSIS AND THE MS SOCIETY CYMRU

Multiple Sclerosis is the most common disabling neurological disorder affecting young people in the UK with more than 100,000 affected by the condition. It is estimated that over 4,000 people are affected in Wales. It is a condition of the central nervous system. MS is unpredictable and can cause a wide variety of symptoms such as loss of mobility, pain, fatigue, vision problems, numbness, loss of balance, depression and cognitive problems. The condition may progress steadily or involve periods of relapses followed by periods of remission.

Multiple Sclerosis Society Cymru (MS Society Cymru) is the Wales-wide charity dedicated to supporting people who have MS, as well as providing help for their families, friends, carers and colleagues. A significant number of the MS Society Cymru National Council and volunteers either have MS or have a personal connection with MS.

The Society provides care and support through services which include a national information and helpline service, publications, a website that receives more than 40,000 visitors each month, welfare grants, funding research and funding MS specialist nurses.

MS Society Cymru is a democratic organisation and has a network of branches delivering local services to people with MS across Wales.

SUMMARY OF KEY POINTS

MS Society Cymru is grateful for the opportunity to submit written evidence to assist the Business Committee in their review of the Standing Orders of the National Assembly for Wales. Since the commencement of the Third Assembly and the current Standing Orders MS Society Cymru has been able to contribute to three Stage 1 inquiries by Legislation Committees, giving oral evidence to two of them, and assisting Assembly Members with information during Stage 2 deliberations. The Society has also been invited to give evidence to inquiries organised by the Health, Wellbeing and Local Government Committee, the Equality of Opportunity Committee and the Petitions Committee. Finally, on one occasion MS Society Cymru was approached by a backbench Assembly Member to support his bid for a Private Members Legislative Competency Order, which was subsequently not drawn at ballot.

The current system has the appearance of one that is functioning well, but even though MS Society Cymru has benefited from the openness of the current Standing Orders, the organisation is concerned that the current committee structure and legislative process is inappropriate to meet the demands of additional Measures or the transition to full law making powers and therefore needs to be reformed.

MS Society Cymru would like the Business Committee to consider amending Standing Orders to reform the committee structure, the process for governments unveiling their legislative programme, the general legislative process and the specific process used to introduce Member Proposed Measures. This response suggests a number of minor and major changes to the Standing Orders taking inspiration from the Scottish Parliament, Northern Ireland Assembly and even several Australian State Parliaments, which MS Society Cymru believes will increase the efficiency and speed of legislation, empower backbench Assembly Members, and develop a modern legislature, which is ready to manage an increased workload if the Spring referendum does result in full lawmaking powers.

For the purpose of this consultation, MS Society Cymru has confined its analysis to examining Standing Order 23 – Assembly Measures, and Standing Order 10 – Committees, rather than examining **Standing Order 22 – Legislative Competency Orders**. The LCO system has its flaws but these can not be fixed by reforming Standing Orders alone.

MS Society Cymru's recommendations on Measures are equally valid for Bills and Acts of Assembly and should be interpreted so, if a referendum in March 2011 grants further powers.

THE COMMITTEE STRUCTURE

MS Society Cymru believe that there are currently too many committees for too few Assembly Members. The current committee structure has developed organically since the 2007 elections as Assembly Members and officials have tried to build the most efficient system possible to scrutinise Measures and LCOs effectively. The establishment of five Legislation Committees was designed to be similar to the House of Commons Standing Committees, which are distinct from Select Committee committees. However, this comparison fails to take into account the difference in size between the House of Commons with 650 MPs and the National Assembly for Wales with 60 AMs. Whilst in Westminster, it might be considered an honour to sit on Select Committee or Standing Committee, in Cardiff Bay, it is a necessity.

There are currently 20 committees (scrutiny, legislation and other committees) with 127 committee places. Excluding Welsh Ministers and the Presiding Officer, that leaves 45 AMs to fill all of the spaces with certain Assembly Members sitting on more than average. The committees differ dramatically in scope with the Health, Wellbeing and Local Government Scrutiny Committee being responsible for the 2 largest departments whilst the Children and Young Peoples Committee shares the Department of Children, Education and Lifelong Learning with the Enterprise and Learning Committee. Despite the differences in sizes and scope each committee holds its relevant Minister to account and produces critical reports of the government or government agencies.

MS Society Cymru is concerned however that the current committee model is frustrating the process of developing Welsh legislation rather than aiding it and this will only worsen as the Welsh Government introduces more Assembly Measures. At the moment the Scrutiny Committees have a role in scrutinising legislation only if a Measure is referred to them for scrutiny, because the lead committee is the Legislation Committee. There are only 5 of these committees so theoretically only 5 Measures can be scrutinised at anyone time. Legislation

Committee No. 1 specialises in private member or committee Measures, leaving a maximum of only 4 pieces of government legislation that can be scrutinised at once.

As the Legislation Committees are not subject specific Members do not build up the expertise in a portfolio that would assist them in scrutinising legislation. If an Assembly Member has an interest in health, they might choose to sit on the Health, Wellbeing and Local Government Scrutiny Committee, but there is no specialist health Legislation Committee. Legislation Committee No. 5 has scrutinised the Carers Strategies Measure and the Social Care Charges Measure, but Legislation Committee No. 3 is examining the Mental Health Measure.

This can lead to problems with Stage 2 amendments where the Member sitting on the Legislation Committee might not be the portfolio holder for that party, so both members would have to work together to develop amendments. During the scrutiny of the Carers Strategies Measure MS Society Cymru had to work with both Andrew RT Davies AM and Darren Millar AM, for the Welsh Conservatives, and Peter Black AM and Eleanor Burnham AM, for the Welsh Liberal Democrats. This situation is replicated on every Legislation Committee and with every Measure.

The current process can lead to “log jams” for Member Proposed Measures, when Legislation Committee No. 1 is dealing with multiple Measures at once. Recently the committee was scrutinising the Playing Fields Measure, the Shipment of Waste for Recovery Measure and the National Assembly for Wales (Remuneration) Measure at the same time.

In Scotland and Northern Ireland, Bills are examined and scrutinised by the most relevant committee (Health Committee, Culture Committee etc) allowing members sitting on these committees to develop the specialist skills in a certain portfolio which they can apply to both committee inquiries and the scrutiny of legislation. MS Society Cymru would recommend that the current model of scrutiny, legislation and other committees are replaced by a model based mainly on statutory committees, where each department has committee scrutinising its work (including legislation). The following committees should be disbanded:

- Health, Local Government and Wellbeing Scrutiny Committee (9 AMs)
- Communities and Culture Scrutiny Committee (9 AMs)
- Enterprise and Learning Scrutiny Committee (9 AMs)
- Sustainability Scrutiny Committee (9 AMs)
- Rural Development Sub-Committee (4 AMs)
- Children and Young People’s Committee (5 AMs)
- European and External Affairs Committee (5 AMs)
- Finance Committee (9 AMs)
- Constitutional Affairs Committee (5 AMs)
- Legislation Committee No. 1 (5 AMs)
- Legislation Committee No. 2 (5 AMs)
- Legislation Committee No. 3 (5 AMs)
- Legislation Committee No. 4 (5 AMs)
- Legislation Committee No. 5 (5 AMs)

The proposed new statutory committees would be:

- Economy and Transport Statutory Committee (9 AMs)

- Children, Education and Lifelong Learning Statutory Committee (9 AMs)
- Environment, Sustainability and Housing Statutory Committee (9 AMs)
- Finance Statutory Committee (9 AMs)
- Heritage and Culture Statutory Committee (9 AMs)
- Health and Social Services Statutory Committee (9 AMs)
- Local Government and Social Justice Statutory Committee (9 AMs)
- Rural Affairs Statutory Committee (9 AMs)

These committees would be in addition to:

- Business Committee (5 AMs)
- Equality of Opportunity Committee (5 AMs)
- Scrutiny of the First Minister Committee (5 AMs)
- Standards Committee (4 AMs)
- Petitions Committee (5 AMs)
- Public Accounts Committee (10 AMs)

The proposed model would reduce the number of committee places needed to be filled by Assembly Members to 106 (down from 127) and result in the Assembly Members with the best knowledge of a topic or portfolio scrutinising legislation from the relevant Minister and department. The model would increase the number of committees scrutinising legislation from 5 to 8.

SUBORDINATE LEGISLATION

MS Society Cymru would recommend that the Constitutional Affairs Committee (formerly the Subordinate Legislation Committee) is abolished and its functions redistributed to the proposed new statutory committees. The Constitutional Affairs Committee has played an important role in scrutinising subordinate legislation and from advocating the rights of Assembly Members to be able to vote on the first set of regulations resulting from new Measures, rather than the Welsh Ministers exercising their powers through Negative Resolution.

Whilst members of the Constitutional Affairs Committee are specialists at understanding the mechanisms for using subordinate legislation, they are not specialists in all of the areas where the subordinate legislation would be used. For example, MS Society Cymru would argue that it is far more appropriate for the Health, Wellbeing and Local Government Scrutiny Committee (or the proposed Health and Social Services Statutory Committee) to scrutinise new subordinate legislation from the Social Care Charges Measure, rather than the Constitutional Affairs Committee.

The other key role of the Constitutional Affairs Committee is in regard to scrutinising the Legislative Competency Order process. This role will cease to exist if a referendum is successful, so MS Society Cymru would argue that at this point the committee should be disbanded and its powers redistributed to the new statutory committees.

TIMESCALE OF LEGISLATION

MS Society Cymru is concerned by the length of time it takes to complete the passage of an Assembly Measure. Under Standing Order 23.107 it is possible for the Welsh Government to introduce an Emergency Measure that would complete the 4 stage legislative process in a single day, but this procedure is yet to be used and in practice most Measures take between 7 and 9 months, with the quickest Measure being the Red Meat Measure 2010 taking 5 months,

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whilst the Playing Fields Measure (a private members Measure) has recently begun Stage 2 Detailed Consideration, 2 years after it was introduced. In Scotland, with the exception of budget Bills, the quickest Act to pass through the Scottish Parliament in the current term was the Abolition of Bridge Tolls (Scotland) Act 2008 which passed in only 3 months, whilst out of the 4 private members Bills to have been passed since 2007, the slowest one took 11 months. The lengthily legislative process can have a negative effect on the proposed Measure. For example, the Social Care Charges Measure was announced in the 2008/09 Legislative Programme in July 2008, but was not introduced until 11 months later, and then took another 7 months to complete all of its stages. MS Society Cymru argued that if the Welsh Government had introduced Measure earlier so that it progressed quicker than 6 months and was completely before the end the 2008/09 term, the provisions could have been implemented in April 2010 benefiting people paying for home care now, rather than having to be postponed until April 2011 due to the length of time it took to complete the legislative process.

The current timescale for Measures limits the Welsh Government to only introducing 8 Measures and LCOs in any one year due to Legislation Committee No. 2, 3, 4 and 5, only having the capacity to scrutinise 2 Measures/LCOs a year under the current system, whilst Legislation Committee No. 1 is able to scrutinise 2 Member Proposed Measures a year. This has not caused a huge problem at the moment, but if the Welsh Government wanted to introduce more legislation using its existing powers or after a successful referendum, the current system would not be able to cope. In July 2010 at the end of the 2009/10 session, only one of the 6 Measures announced in July 2009 have been passed (Red Meat Measure). The Carers Strategies Measure will finish stage 2 by the end of term, the Waste and Mental Health will complete Stage 1 by the end of term, the Welsh Language Measure early in the Autumn, whilst the Rights of Children and Young People Measure has only just begun Stage 1. The Welsh Government will have to rely on a much smaller legislative programme for 2010/11 or fast track legislation in order to get it passed before April 2011.

In order to speed up the process of passing legislation, MS Society Cymru would recommend removing the 15 working day timescale in Standing Order 23.30 and 23.43, as this would seem to create an unnecessary 6 week delay, whilst the Society would also suggest moving the Statement on the Legislative Programme (this is discussed below) and making changes to Stage 1 and 2, which are explained on pages 6 and 7.

STATEMENT ON THE LEGISLATIVE PROGRAMME

MS Society Cymru believes that a reformed system of Standing Orders should formalise the process around the First Minister's Statement on the Legislative Programme (the Welsh equivalent of the Queens' Speech) and change the current process. Currently the only mention of the statement on the Legislative Programme is section 7.61, which simply states that time must be made each year for a debate on the programme. Yet since 2007 a convention has already developed that the Government would set out their programme shortly after the Royal Opening of the Senedd in May or June following an election and then on the last Tuesday Plenary session in July before the summer recess. Whilst it is right for a new government to unveil its legislative programme as soon as possible after an election, MS Society would like to see new Standing Orders move the July Statement.

The problem with the current system is that it limits opportunity for debate and leads to legislation being unnecessarily delayed. The summer recess is the ideal opportunity for the staff of Assembly committees to collect evidence from outside organisations and individuals relating to the legislation they are scrutinising, but at the moment this time is rarely utilised unless a Measure from the previous year is running behind (Stage 1 of the Social Care

Charges Measure). Following the statement on the legislative programme for 2009/10 there was only time for 1 piece of legislation (The Local Government LCO 2010) to be introduced before the summer recess out of 10 pieces proposed. None of the LCOs and Measures proposed in July 2008 were introduced until after the summer recess, and in July 2010 it is unclear whether the new Proposed Local Government Measure is the first piece of legislation for the 2010/11 programme or the last piece of the 2009/10 programme.

MS Society Cymru would like Standing Orders to require the Legislative Programme to be unveiled in late June, with the intention that the 2 weeks before the start of recess would be used to plan the workload of committees (this will be discussed later in this paper) and a suitable number of Measures could be introduced before the summer recess, so that evidence could be collected over the summer. In consultation with committee clerks and chairs, the government should be able to introduce enough pieces of legislation so that every committee that is required to scrutinise a Measure can start collecting evidence over the recess, so that committee members can start interviewing witnesses at the start of the Autumn term.

Moving the First Minister's Statement to late June would also give Assembly Members more time to scrutinise and debate the Legislative Programme. The 2010/11 Statement has been allocated 45 minutes by the Business Committee despite this theoretically being one of the most important debates that Assembly Members should be having. In Westminster MPs might spend 2 weeks debating the Queens Speech, allocating specific days to look at certain themes within it. The Queens Speech debate is not simply about the initial debate in the Commons between the Prime Minister and the Leader of the Opposition; it goes on much longer and involves every Minister defending their plans for the subsequent year and debating them in Parliament. The new Standing Orders should grant more importance to the Legislative Programme, so that the Business Committee is able to allocate more time for AMs to debate the various aspects once they have had the opportunity to digest the initial announcement.

REFORM OF THE LEGISLATIVE PROCESS

MS Society Cymru believes that the new Standing Orders should review how Assembly Committees scrutinise legislation. On pages 2 and 3 of this response it has been suggested that the current committee structure be reformed and replaced with statutory committees based on the individual departments, but in order to improve the scrutiny of legislation still further reforms are needed.

Stage 1 – Consideration of General Principles

MS Society Cymru is concerned about the length of time and the resources needed to manage the Stage 1 committee consultation. At its very basic level Stage 1 of a Measure is where the general principles are debated and discussed, but this has steadily evolved over the last 3 years. Whilst virtually every Measure (with the exception of the proposed Shipment of Waste for Recovery Measure) has had its General Principles endorsed by a Legislation Committee, the consultation process has resulted in reports ranging from 20 pages to over 100 pages where the committees have analysed every aspect of a Measure and made recommendations for changes or clarification throughout. MS Society Cymru has had the privilege of giving oral evidence on two Measures during Stage 1, and in both cases the General Principles of the Measure were accepted by everyone. However the organisation used the opportunity to raise concerns with specific elements of the Measure and suggested amendments.

If Stage 1 committees are considering the Measure in detail, rather than looking solely at the General Principles, there is a question over whether this should be done at Stage 2 instead. If

the purpose of Stage 1 is to discuss the General Principles of a Measure and in the vast majority of cases all Members endorse the principles, do they need a lengthily report and evidence from witnesses to further endorse this view?

Standing Order 23.21 states that "Once a proposed Measure has been introduced, the Business Committee must decide whether or not to refer consideration of the general principles to a committee." It is therefore not essential for a Measure to be sent to a committee, yet so far every Measure has been referred to a committee, even when the Measure is already behind schedule or the proposed legislative changes are very minor.

MS Society Cymru recommends that Standing Orders are amended so that with the exception of Private Members Measures, Stage 1 committees are no longer used. Instead after the initial Legislative Statement, the Business Committee should table a Stage 1 debate as early as the next day as happens in the House of Commons and the Northern Ireland Assembly. Private Members Measures would still benefit from a Stage 1 committee inquiry by the relevant Statutory Committee so that witnesses can be brought in to consider whether the Measure is necessary or not, and this process will also help the Private Member to persuade Assembly Members from other parties to support the Measure when it returns to the Assembly for a Stage 1 debate.

Stage 2: Detailed Consideration by Committee

There should still be a place for evidence and outside witnesses in the scrutiny of legislation, but under these proposals, witnesses would be called at Stage 2 rather than Stage 1. If the Legislative Programme is unveiled in June rather than July, then committees would have the ability to plan their work programme and decide what evidence they would like to collect. MS Society Cymru would suggest that Standing Orders give Statutory Committees the option to call for witnesses and written evidence rather than make it mandatory. Under the proposed committee structure some committees might be scrutinising more legislation than others and might feel that the proposed Measure is limited in its scope and does not require witnesses to be called. For example, under this proposed structure the Health and Social Services Statutory Committee would have scrutinised the Social Care Charges Measure, the Mental Health Measure and the Carers Strategies Measure in 2009/10, so the committee might decide to take evidence for 2 Measures and publish a report, whilst the other Measure might be amended at Stage 2 without the need for witnesses to be called.

Before Stage 2 amendments are considered MS Society Cymru would recommend that the Finance Committee debates the legislation and makes recommendations as currently happens at Stage 1 at the moment.

Committee of the Whole Assembly

One potential criticism of the statutory committee model is the question over what happens to legislation that crosses a number of different departments and committees, such as the Children and Families Measure 2010. MS Society Cymru proposes that in these circumstances Stage 2 amendments should be taken by a Committee of the Whole Assembly. The current Standing Orders make provision for this process in paragraph 23.115, but only for Government Proposed Emergency Measures. A Committee of the Whole Assembly would ensure that the maximum number of Assembly Members was able to participate and vote on amendments, without having to set up an adhoc committee. It would also be the most appropriate place to have Stage 2 scrutiny and amendments to Committee Proposed Measures, where it would be inappropriate to send the Measure back to the committee to scrutinise their own work.

In the House of Lords and if one considers other parliamentary democracies - various Australian States, such as Victoria and South Australia, the committee stage of their legislation always goes through a Committee of the Whole House. MS Society Cymru believes that a Committee of the Whole Assembly is an under utilised procedure under the current Standing Orders and therefore should be used more.

Stage 3 and 4

As stated earlier in this response, MS Society Cymru would recommend removing Standing Order 23.43 which sets a minimum period of 15 working days between the completion of Stage 2 and the start of Stage 3. With this exception the Society is happy with the Standing Orders in this section and the level of debates that have been held in the Senedd when Measures get to this stage. However, MS Society would like to see Standing Order 23.58 amended so that Stage 4 can no longer be passed immediately. Since 2007, this particular paragraph has been used for virtually every Measure leading to the Stage 3 debate becoming the final discussion of a Measure. At present the Stage 3 debate tends to focus on each individual amendment rather than the Measure as a whole. MS Society Cymru believes the Stage 4 debate should remain separate giving opposition Assembly Members one final opportunity to oppose the amended legislation and expose any problems they think it will cause. The Standing Orders should therefore be amended to allow the Member in charge of the Measure to move to Stage 4 at the following Plenary session.

MEMBER PROPOSED MEASURES

MS Society Cymru would like to see the Standing Orders reformed so that Member proposed Measures are actively encouraged allowing AMs to debate radical legislative ideas that are not being pursued by the government. The current system relying on the Presiding Officer to hold ballots (23.99) only allows a limited number of ideas to be translated into draft Measures, and allows the government to prevent the proposals ever being granted leave to be formally introduced (23.102).

Since 2007 there has been less demand by Members to enter the Presiding Officers Measure ballot as there have been to enter the similar one for LCOs, although interest has increased as the National Assembly for Wales has acquired additional legislative competence. Since 2007 there have been 17 different proposals for Measures that have been put forward to ballot, but only 9 of these has been selected by the Presiding Officer. From these 9, 3 were voted down as proposals, 3 have not been introduced and only 3 have been developed into Measures. Out of these 3 only one has been given Royal Assent and become law. Therefore only a third of Members who proposed ideas for new laws have actually seen their idea become a proposed Measure. This can not be good for democracy and MS Society Cymru would like to see the process reformed.

Replacing the ballot system, MS Society Cymru propose that there should be 2 mechanisms for introducing Measures, the first would be for an Assembly Member to introduce an already written Measure. This would probably be the minority way of proposing Measures, but if an Assembly Member had a legal background, had adapted a piece of legislation from elsewhere in the UK, or had had support from an outside organisation, then they should have the right to introduce their Measure. This right is similar to that given to MLAs in the Northern Ireland Assembly Standing Orders. The second mechanism would be for an Assembly Member to introduce an idea for a proposed Measure, but need the legal and administrative support of

Assembly Commission officials to translate that idea into legislation. This mechanism is similar to the current Standing Orders, but without the ballot, and also similar to the Scottish Parliament Standing Orders.

Introducing a Measure

MS Society Cymru would like to see Standing Orders amended so that every Member has the right to introduce a Member Proposed Measure. There should be no limit on the number of Measures any Assembly Member could introduce and this would follow the model of the Northern Ireland Assembly Standing Orders which grant Members the same rights as Ministers to introduce legislation when they are ready to do so. Members would be required to submit an Explanatory Memorandum and have a letter from the Presiding Officer stating that the proposed Measure is within the legislative competence of the National Assembly for Wales. These points are currently covered in Standing Orders 23.8 to 23.18, but MS Society Cymru would suggest that the requirements of the Explanatory Memorandum should be less stringent than for Government Proposed Measures and instead focus on the background for the Measure and what it is seeking to achieve.

The backbench Assembly Member would then have the opportunity to make a Legislative Statement and introduce the Measure as a Minister would normally do so. However MS Society Cymru believes that the key difference between Government Proposed Measure and a Member Proposed Measure is that following the Legislative Statement, the proposed Measure should be referred to the relevant Statutory Committee for a Stage 1 inquiry. At this point evidence would be taken from witnesses and a cross-party group of Assembly Members would have the opportunity agree or disagree with the principles of the Measure.

As happens under the current Standing Orders for all Measures at the moment, the appropriate committee would publish its report and there would be a Stage 1 debate on the General Principles. If a Member has introduced a Measure via this mechanism then this would be the first opportunity for other Assembly Members to vote on the proposed Measure. If Assembly Members vote against it, the Measure falls, but if they vote for it, the Measure would be referred back to the statutory committee and progress in the same proposed way as Government Proposed Measures would under the process set out on page 6 and 7.

Developing a Measure from a proposal

If an Assembly Member needs support developing a Measure from an idea than they should be able to put forward this idea at any time during the Assembly term, Rather than the current process which relies on the Presiding Officer ballot and then for a majority of other Assembly Members to support before introducing the Measure, MS Society Cymru would suggest that every Assembly Member has the right to table a proposal for a draft Measure, which the Tabling Office would refer to the appropriate Statutory Committee. Under this model, the Statutory Committee (rather than the government) would become the gatekeepers to Assembly Member proposals become Measures.

For example, if an Assembly Member wanted to develop a Measure that would reform the Direct Payment system, they would have to persuade the Health and Social Services Statutory Committee that there was a need for legislation and that such legislation would have a positive effect. If the committee was satisfied with the answers then the Assembly Member would be given the support of the Assembly Commission to draft a Proposed Measure and once it was ready it would be introduced using the procedure outlined on the previous page.

If the Statutory Committee was not satisfied then the Assembly Member would not be given Assembly Commission support to develop a Measure, and unless they found another means of drafting the Measure and introduced it themselves, the proposal would not progress.

Reforming the Standing Orders surrounding Member Proposed Measures would empower backbench Assembly Members and have a positive impact on the amount of legislation being passed by the National Assembly for Wales. Since 2007 Assembly Members have taken on the role of legislators in addition to their scrutiny of the Welsh Government, but there is still too few pieces of legislation either initiated by the Welsh Government or being allowed to progress from a backbencher. It was stated earlier that the 2009/10 Legislative Programme contained 10 Measure and LCOs. In contrast the Northern Ireland Parliament has introduced 33 Bills in a similar period, and if we compare Wales to an Australian State of similar size, such as South Australia, the State Parliament debate over 150 Bills in its most recent session. Whilst the National Assembly for Wales does have less power than these two bodies, the current Standing Orders are not allowing Assembly Members to take full advantage of the legislative competence that the body has already received.