

Have your say

1. What matters to you about the way Wales is run?

Wales has a proud history of standing up for equality and human rights, from the decision to include the UNCRC in the Curriculum and Assessment Act¹, placing a duty on educators to teach children about their rights, to the defence of the Human Rights Act² in the face of the proposed Bill of Rights.

It is vital this commitment to rights, including the right to freedom of religion or belief, continues to be translated into action. The secular ideals upon which the Senedd was formed play an important part in providing equality for people of all religions and beliefs, but Welsh Government needs to address areas where discrimination remains.

There are aspects of public life where the non-religious are still not permitted equal rights and representation, such as civic ceremonies of Remembrance. Public services can still be overwhelmingly religious, such as chaplaincy in NHS trusts. The new curriculum has the intention for pluralism and objectivity yet daily acts of Christian worship are still required. Faith schools are still permitted to discriminate in employment and in admissions policies.

A fair Wales needs to respect those with non-religious beliefs as it does religious. Reserved areas such as marriage law where humanists are not given equal treatment need to be challenged by Welsh Government.

2. What do you think the priorities for the commission should be?

The Commission needs to focus on protected characteristics and make sure they are defended in all areas of Welsh policy. In areas already devolved, there needs to be a clear intent to create equality, such as the removal of the requirement for daily acts of worship in schools and a review of chaplaincy guidelines to guarantee equal provision of pastoral support for the 58% of the Welsh population who have no religion according to the British Social Attitudes survey 2020³.

¹ Curriculum and Assessment (Wales) Act 2021 <https://www.legislation.gov.uk/asc/2021/4/section/64/enacted>

² Welsh Government statement on response to UK Government consultation on the proposed Bill of Rights <https://www.gov.wales/written-statement-welsh-government-response-uk-government-consultation>

³ British Social Attitudes Survey 2020 <https://www.bsa.natcen.ac.uk/latest-report/british-social-attitudes-28/religion.aspx>



Where there is support within Wales for a change in law but no devolved responsibility, Welsh Government needs to challenge the UK Government on their responsibility to represent all nations and all beliefs. Where the UK Government is not acting to represent the views of the people of Wales, there should be further devolution of responsibility. This would be the case for such areas of law that govern marriage and assisted dying where there is a clear will in Wales for change but no action being taken by the UK Government. This may also be the case for any legislation impacting or seeking to change the Human Rights Act⁴.

3. Thinking about how Wales is governed, by the Welsh Government and the UK government, what are the strengths of the current system, what aspects do you most value and wish to protect? Can you provide examples?

The Welsh Church Act 1914 disestablished the Church of England in Wales on 31 March 1920 and led to the devolved administration running along more secular lines.

The disestablishment of the Church of England in Wales in 1920⁵ led to the nation being more secular and plural, but more needs to be done to ensure equality for all people, regardless of religion or belief. It also creates a tension between the Senedd and Westminster, where the Church of England remains firmly established and bishops retain seats in the House of Lords. In the latest Census, 47% of people in Wales ticked 'no-religion'. In England it was 37%.

Since devolution, Wales has proved to be the most plural nation in the UK, forging strongly secular approaches to governance, education, and in areas such as healthcare policy with its visionary organ donation law which is saving more lives.

Policies in recent years have seen Wales become a world leader in inclusive education. The Curriculum and Assessment (Wales) Act 2021 makes it explicit that schools must teach humanism equally alongside the major world religions, reflecting

⁴ Welsh Government statement on response to UK Government consultation on the proposed Bill of Rights
<https://www.gov.wales/written-statement-welsh-government-response-uk-government-consultation>

⁵ Wales Humanists on 100 years of Disestablishment
https://humanists.uk/wp-content/uploads/Humanists_Wales_English_FINAL.pdf
Humanists UK report on Census 2021 figures relating to religion
<https://humanists.uk/2022/11/29/non-religious-surge-37-tick-no-religion-in-2021-census-uk-among-least-religious-countries-in-the-world/>



their obligations under the Human Rights Act 1998, and it has renamed 'Religious Education' to 'Religion, Values and Ethics.' It has also added compulsory Relationships and Sexuality Education (RSE) to the curriculum, giving children the information they need to grow up happy, healthy, and safe.

But there are still urgent policies that must be overhauled to ensure we live in a fully inclusive society where all people are treated equally. The law mandates that all state-funded schools must hold a daily act of Christian worship and religious bodies still receive public money to run schools in line with their faith, where instead we should have inclusive education. This means that for some parents in rural areas, the only local option is a religious school. For others, they find themselves unable to access the best school in their area due to faith-based admissions.

We also need to ensure that our hospitals and prisons have equal provision of pastoral care for non-religious people and those with other beliefs. With healthcare devolved, this is in the control of Welsh Government.

Welsh Government needs to liaise with the UK Government where the law is not devolved to make sure secular principles are upheld, such as pastoral care in prisons, and marriage law which does not give legal recognition to humanist marriages.. Where this cannot be achieved, there should be further devolution if policy needs to be changed and this can only be achieved in Wales.

4. Are there any problems with the current system, and if so, how could they be addressed? Again, please provide examples.

Unlike the UK Parliament, the Senedd reserves no automatic places for religious figures, and Senedd business starts directly without prayers. This is entirely different from the situation in Westminster, which is unique among democratic sovereign parliaments in automatically allocating seats for religious leaders. The UK Parliament has 26 seats for Church of England bishops in the House of Lords, and starts parliamentary business in both chambers with daily Anglican prayers. In fact, it even enables MPs to reserve limited seating for the day ahead by attending these prayers, which others have pointed out is a form of indirect discrimination against non-Christians.

Reserved areas are therefore more likely to be considered from a less secular perspective, than were they devolved. There is also less Welsh representation in the House of Lords, which could create imbalance in presenting the views of the population in Wales.

Areas devolved to Scotland and the Crown dependencies, such as marriage law and the ability to legislate on assisted dying, have been able to move forward and to a place where public opinion is represented in the pace of change. This leave Wales lagging behind, where it should be leading the way as most non-religious nation.

5. Thinking about the UK government, the Welsh Government and Welsh local government (your local council), what do you think about the balance of power and responsibility between these 3 types of government – is it about right or should it change and if so, how? For example, who should have more power, or less?

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6. As a distinct country and political unit, how should Wales be governed in the future? Should we:

- broadly keep the current arrangements where Wales is governed as part of the UK, and the Westminster Parliament delegates some responsibilities to the Senedd and Welsh Government, with those responsibilities adjusted as in Q5, OR
- move towards Wales having more autonomy to decide for itself within a more federal UK, with most matters decided by the Senedd and Welsh Government, and the Westminster Parliament decides UK-wide matters on behalf of Wales (and other parts of the UK) OR
- move towards Wales having full control to govern itself and be independent from the UK OR
- pursue any other governance model you would like to suggest
- alongside any of these options, should more responsibilities be given to local councils bringing decision making closer to people across Wales and if so, please provide examples.

⁶ Welsh Government statement on response to UK Government consultation on the proposed Bill of Rights
<https://www.gov.wales/written-statement-welsh-government-response-uk-government-consultation>



We have chosen not to answer this question as we believe it goes beyond our charitable remit.⁷ Overall, what is most important to you in about the way in which Wales should be governed in the future? Is there anything else you want to tell us?

About Wales Humanists

Wales Humanists is a part of Humanists UK. At Humanists UK, we want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. [Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. Since 1896, our work has been helping people be happier and more fulfilled. By bringing non-religious people together we help them develop their own views and an understanding of the world around them. Together with our partners Humanist Society Scotland, we speak for 100,000 members and supporters and over 100 members of the All-Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

In responding to these questions, we would welcome views on how the current forms of governance, and any proposals to change governance in the future, might impact on the Welsh language.

Responses to consultations may be made public. To keep your response anonymous (including email addresses) tick the box.

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Submit your comments by 28 February 2023

email to: ConstitutionCommission@gov.wales

or post to:

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