

Agenda – Culture, Communications, Welsh Language, Sport, and International Relations Committee

Meeting Venue:

Committee Room 1&2 – Senedd

Meeting date: 14 June 2023

Meeting time: 09.30 – 12.30

For further information contact:

Lleu Williams

Committee Clerk

0300 200 6565

SeneddCulture@senedd.wales

Pre-meeting registration

(09.15 – 09.30)

1 Introductions, apologies and substitutions

(09.30)

2 Papers to note

(09.30)

2.1 Welsh Government international relations

(Pages 1 – 4)

Attached Documents:

- Letter to the First Minister: International relations scrutiny follow-up – 7 June 2023
- Welsh Government international visits – May 2023

2.2 Safeguarding the national collections

(Pages 5 – 6)

Attached Documents:

- Letter to Deputy Minister for Arts, Sport, and Tourism: Safeguarding National Collections – 7 June 2023



2.3 Wales–Ireland relations

(Pages 7 – 10)

Attached Documents:

- Letter from the First Minister: Welsh Government international relations – 24 May 2023
- Letter to the First Minister: Ministerial evidence session follow-up – 7 June 2023

2.4 Legislative Consent: Data Protection and Digital Information (No.2) Bill

(Pages 11 – 15)

Attached Documents:

- Letter to the First Minister: Legislative Consent: Data Protection and Digital Information (No.2) Bill – 15 May 2023

3 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of this meeting

(09.30)

4 Legislative Consent: Online Safety Bill

(09.30 – 09.40)

(To Follow)

Attached Documents:

- Legal advice note: Legislative Consent: Online Safety Bill

5 Clwstwr: summary of the 5–year programme

(09.40 – 10.20)

(Pages 16 – 24)

- Professor Justin Lewis, Director, Clwstwr
- Sara Pepper, Chief Operating Officer, Clwstwr

Attached Documents:

- Presentation from Clwstwr: Where ideas thrive

6 Clwstwr 5-year programme: consideration of evidence

(10.20 – 10.30)

Break

(10.30 – 10.35)

7 Challenges facing the creative industry workforce in Wales: consideration of key issues

(10.35 – 11.20)

(Pages 25 – 45)

Attached Documents:

- Key issues paper: challenges facing the creative industry workforce in Wales

Break

(11.20 – 11.30)

8 Welsh Language Education Bill: Welsh Government briefing on the white paper

(11.30 – 12.30)

- Bethan Webb, Deputy Director, Cymraeg 2050, Welsh Government
- Iwan Evans, Policy Lead, Welsh Language Education Bill, Welsh Government

Mark Drakeford MS
First Minister
Welsh Government

Re: International relations scrutiny follow-up

Dear Mark,

I am writing to you following our annual scrutiny of the Welsh Government's work on international relations on Wednesday, 10 May 2023, and for your letter of 24 May 2023 providing further information. The Committee would like to express its gratitude for the time you have taken to share with us the work that has been ongoing over the past year, and your future ambitions for international relations. During the meeting, we agreed to follow up a number of matters raised below.

Letter to the Secretary of State for Foreign, Commonwealth and Development Affairs, Rt Hon James Cleverley MP

During the meeting, we discussed that you recently wrote to the Secretary of State for Foreign, Commonwealth and Development Affairs, Rt Hon James Cleverley MP. This was in connection with instructions to British embassies that meetings with the Welsh Government conducted as part of an overseas visit should also have a UK Government representative present. The Committee would be grateful if you could share a copy of that letter, and any response you received.

Memoranda of Understanding

We also discussed that the Welsh Government is in the process of agreeing new memoranda with Flanders and Baden Württemberg. We would welcome an update on discussions, including a timeline for putting these memoranda in place. Once these memoranda are agreed, we would be grateful to receive copies to assist with our understanding of the relationships that are being developed to support delivery of the International Strategy.

Wales in Canada

In addition, we discussed the launch of the Year of Wales in France initiative and the planned activities around the Rugby World Cup in the autumn. The Members acknowledged the importance of major sporting events as a diplomatic platform for increasing Wales's global presence and influence. As the Year of Wales in Canada initiative draws to a close, the Committee would welcome a summary of the year's activities, outlining key successes and outcomes and how these have aligned with the International Strategy. In particular, the Committee also would be keen to understand any lessons learned from the relative success of the previous year's activities and how these have informed changes to the Year of Wales in France programme.

Indigenous languages

You will be aware that languages are a particular area of interest for this Committee. Following the conclusion of the Year of Wales in Canada initiative, please could you share any information with us about work that was carried out specifically in this area, including with indigenous languages.

Priorities for 2023

You have spoken at length about your joint work with the Welsh Rugby Union to promote Wales at the last tournament in Japan in 2019. In light of the recent allegations, and the upcoming Rugby World Cup in France, has the Welsh Government's relationship with the Welsh Rugby Union to deliver its international ambitions changed please, and how?

Wales-EU relations

Could you tell us what plans there are, if any, for the future of the role of Welsh Government's representative in Europe.

Welsh Government reporting on international activities

Finally, we have a number of questions in relation to the Welsh Government's reporting on its international activities, as follows:

- Please could you provide the Committee with the Welsh Government's view of progress against its International Strategy.
- Please explain how in-country and trade mission activities are coordinated with UK Government missions and embassies to ensure value for money.
- The Draft Budget information provided on the overseas offices says that each overseas office will be responsible for delivering against their individual remits. Are you satisfied that each office managed to do so in 2022-23?
- You have provided us with a copy of your annual report on overseas offices which describes activity for the period 2022-23. The report lists events or visits that have taken place, but it does not provide information on the outcomes that were delivered as a result. How is the efficacy of overseas events and activities monitored and evaluated?
- During the meeting, you agreed to provide updated costs for international visits undertaken by Welsh Government ministers for this financial year to date. The Committee would be grateful to receive this.

We will continue consider these matters throughout the course of the Sixth Senedd and welcome your willingness to engage with the Committee and your invitation to feed into future international relations policy, as discussed.

We look forward to receiving your response in due course.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Delyth Jewell'.

Delyth Jewell MS

Committee Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.
We welcome correspondence in Welsh or English.

INWARD VISITS – MAY 2023

16 May Visit by Vietnamese Ambassador to the UK

Bi-lateral meeting with First Minister and the Minister for Education & Welsh Language. The meeting focussed on education links and exchange with Welsh universities and the Taith programme. The First Minister also raised the issue of human rights in Vietnam.

23 May Visit by CPMR Atlantic Arc Commission

First Minister hosted members of the CPMR Atlantic Arc on their visit to Cardiff to hold its General Assembly. Messages included Welsh Government's commitment to continued cooperation across Europe and the forging of new partnerships. Minister for Economy and Minister for Education and Welsh Language also addressed members during the visit.

24 May Visit by Vice-President of the Regional Council of Brittany

Informal bi-lateral with Deputy Minister for Climate Change. The meeting discussed the Wales in France year, the MOU between Wales and Brittany and the Celtic Forum, which is scheduled for August.

24 May Visit by Spanish Ambassador to the UK

Bi-lateral meeting with First Minister to discuss cooperation on student mobility through the Taith programme and exchange of views on green and digital transition.

25 May Visit by Marshal of the Diplomatic Corps and Dean of the Diplomatic Corps

Bi-lateral meeting with First Minister. The meeting provided an opportunity to raise the profile of the international strategy and the value placed on Wales as a welcoming nation.

OUTWARD VISITS – MAY 2023

Nil

NIL

**Culture, Communications, Welsh Language,
Sport, and International Relations Committee**
Re: Safeguarding National Collections

Welsh Parliament

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Dawn Bowden MS
Deputy Minister for Arts, Sport, and Tourism
Welsh Government

Dear Dawn,

Thank you for your [letter dated 27 April 2023](#), in response to our concerns about the safeguarding of national collections.

We discussed your letter at our meeting on Wednesday, 10 May 2023. Members raised concerns about the risk to our nation's national collections with reference to the fire at the National Library of Wales in 2013, during which part of the collection was damaged, as well as the fire at the National Museum of Brazil in 2018, which suffered significant and irrevocable losses. In addition, during a recent visit to Dublin, Members visited the library at the Trinity College Dublin. At the library, we heard about the significant, ongoing programme of investment to restore and upgrade the colleges' old library building prompted by the fire at Notre Dame Cathedral in Paris which served as an urgent reminder that it needed to be protected. These examples reflect the real risk caused by insufficient investment in essential improvements and maintenance works to preserve collections and estates of significant cultural and historical value.

The Committee acknowledges and accepts the difficulty faced by Welsh Government when prioritising resources given the challenging budget settlement and additional cost of living pressures. However, we remain of the view, as previously expressed to you in our [letter of 28 March 2023](#), that safeguarding our national collections for future generations is a priority. We are not assured that enough is being done to address the potential serious threat to important collections housed by Amgueddfa Cymru and the National Library of Wales.

Given the depth of the Committee's ongoing concern, as part of ensuring that the right support is in place for these institutions over the longer term, we would be grateful to understand:

- What action the Welsh Government has taken to understand the risks to these important collections and to prioritise and mitigate those risks given that funding pressures are likely to continue for some time.
- What evidential assurances you can give the Committee that the national collections housed at both Amgueddfa Cymru and the National Library of Wales are and will continue to be safe.

We would be grateful for a considered response to our questions in due course.

Yours sincerely,



Delyth Jewell MS

Committee Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.
We welcome correspondence in Welsh or English.

Eich cyf/Your ref
Ein cyf/Our ref

Llywodraeth Cymru
Welsh Government

Delyth Jewell AS/MS
Chair Culture, Communications, Welsh Language,
Sport and International Relations Committee

Delyth.jewell@senedd.wales

24 May 2023

Dear Chair

During my recent appearance before the Committee on 10 May 2023, I agreed to provide some additional information. Please see below.

Trade and investment between Wales and Ireland

Inward Investment

According to the latest data from the Office for National Statistics, there are around 90 Irish-owned companies in Wales, employing just under 6,400 people. Irish-owned companies in Wales include Eurocaps, Kepak, Kingspan, Nolan Transport and Williams Medical Supplies.

Ireland is our 7th largest inward investor with more than 30 investments taking place in the last ten years.

In April 2022, DP Energy, based in Cork, announced the opening of its UK headquarters in Pembroke Dock. Notably, the company has publicly acknowledged the supportive policies set by the Welsh Government to achieve net zero targets and, in particular, our support for marine renewables.

Exports

In 2022, Welsh goods exports to Ireland were worth around £3.0 billion. This represented around 14.4 per cent of Welsh goods exports and meant that Ireland became Wales' second largest export market. For context, the USA is our largest export market and is worth just under £3.4 billion. In 2021, Welsh exports to Ireland were worth £1.7 billion (11.4 per cent of Welsh exports and our third largest export market).

In 2022, the top 5 exported products from Wales to Ireland were:

1. Petroleum, petroleum products & related materials (£2 billion)
2. Power generating machinery & equipment (£178.8 million)

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

3. Iron & steel (£156.4 million)
4. Paper, paperboard (£58.3 million)
5. Metal (£52.7 million)

The value of goods exports to Ireland, like many of Wales' key markets, has experienced volatility over recent years. Following a decrease between 2019 and 2020, primarily driven by the impact of the Covid-19 pandemic, the value of goods exports has since recovered beyond pre-pandemic levels. Recent data does however suggest inflation is playing a role, with inflationary pressures pushing up the price of products, causing the value of exports to increase at a faster rate compared with the volume of exports. This is particularly prevalent within the petroleum sector, with the value of petroleum exports from Wales to Ireland increasing sharply, whilst the volume is growing, but at a slower rate.

The Welsh Government has regularly undertaken trade missions to Ireland, with the most recent taking place in March 2023 to coincide with St David's Day and a visit by the Minister for Education and Welsh Language.

Imports

In 2022, Wales imported £677.9 million worth of goods from Ireland.

In 2022, the top 5 imported products were:

1. Electric current (£196.5 million)
2. Power generating machinery & equipment (£119.8 million)
3. Meat & meat preparations (£112.3 million)
4. Petroleum, petroleum products & related materials (£72.5 million)
5. Other transport equipment (£23.5 million)

Letter to the President of the European Commission

I agreed to provide more information about the exchange of letters between myself and Ursula von der Leyen. The letters are attached separately (English only); however, I ask that this correspondence is not published or made public in any way to maintain the EU's confidence in our ongoing relationship.

Visit by Qatari Museum Delegation

I can confirm that arrangements are proceeding well for the visit to Wales by a delegation from the Museum of Islamic Art. The delegation is visiting Wales this week and will be travelling to museum sites across Wales, including St Fagan's and Blaenavon. I have asked officials to work with the delegation to see if a meeting with the Committee can be accommodated. Officials will contact the Committee Clerk directly.

Yours sincerely



MARK DRAKEFORD

Mark Drakeford MS
First Minister
Welsh Government

Re: Ministerial evidence session follow-up

Dear Mark,

Thank you for attending the Committee on Wednesday, 10 May 2023 for the evidence session on our inquiry into Wales-Ireland relations, and for your letter of 24 May 2023 providing further information. During the meeting, we agreed to follow up on a number of matters, which I have outlined below.

Budget allocation

The Committee would be grateful to receive information on the budget allocation for work related directly to implementation of the Wales-Ireland Shared Statement and Joint Action Plan (the Shared Statement).

Knowledge sharing

During the meeting, we discussed the exchange of knowledge and ideas through secondment opportunities. Alun Davies MS explained that, during the Committee's recent visit to Dublin, Committee Members met the Welsh Government's secondee at Ireland's Department of Foreign Affairs. You explained that the secondee was due to provide a full report on their experience to capture the lessons learned and support an evaluation of the effectiveness of the initiative. The Committee would be grateful to receive a copy of that report when it is available.

PEACE PLUS

The Legislation, Justice and Constitution Committee has drawn to our attention an international financing agreement for the continuation of the PEACE PLUS programme. The programme will continue to jointly fund cross-border activities that promote peace and reconciliation and contribute to cross-border economic and territorial development of the Northern Ireland-Ireland border region post-Brexit. The Committee would be grateful to receive the Welsh Government's view on the contribution of the programme to Wales-Ireland relations.

Wales-Ireland relations framework

The Committee notes that the Welsh Government has a number of initiatives and strategies for Wales-Ireland relations including its International Strategy, the Shared Statement, and its new Irish Sea Framework. Please can you explain how these initiatives work together and how Ministers co-ordinate them within the Welsh Government. It would also be helpful for the Committee to know whether there are any plans to bring all your Wales-Ireland initiatives together in one place in the future.

Wales-Ireland co-operation post Brexit

You told us in your written evidence that, "...officials continue to work together to ensure the successes gained through the Ireland-Wales Programme are not lost." Please can you explain the steps that Welsh Government is taking to ensure that this happens.

Horizon Europe

During the meeting we discussed access to Horizon Europe following the announcement of the Windsor Framework. You told us that association to Horizon Europe will not happen, "...in the near-term." The Committee are keen to know when the Welsh Government thinks that access to Horizon Europe will happen.

Shared statement and joint action plan

During our inquiry, we have found that awareness amongst stakeholders of the Shared Statement ranges from excellent to poor. Please advise what mechanisms are in place to ensure that the stakeholders referenced in the Shared Statement are aware of your commitments to support their cross-border work.

Bilateral relations between the Welsh and Irish Governments

The Members are keen to know more about your role at the British-Irish Council, and to understand whether and how this has changed since Brexit.

Cooperation beyond 2025

We heard during our recent visit to Dublin about plans to refresh the Shared Statement. In your written evidence to this inquiry, you set out key areas for inclusion in future shared statements with Ireland, such as educational links, funding, economic links, political cooperation, and policy sharing. The Committee would welcome an update on the progress of this work and would like to understand how Welsh stakeholders and Members will be engaged in the development of any refreshed Wales-Ireland plan.

In your overseas offices report, you note that you are about to sign a shared statement with Germany. Could you confirm that this is separate and additional to the Memorandum of Understanding with Baden-Württemberg we discussed during the international relations scrutiny session? Could you also explain why Germany was selected, and whether the framework for Wales-Ireland relations we discussed during the meeting will be used as a blueprint for this new shared statement.

We look forward to receiving your response in due course.

Yours sincerely,



Delyth Jewell MS

Committee Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Rt Hon Mark Drakeford MS
First Minister of Wales

15 May 2023

Dear Mark

Legislative Consent Memorandum: Data Protection and Digital Information (No. 2) Bill

At our meeting on 9 May 2023 we considered for the first time the Welsh Government's Legislative Consent Memorandum for the Data Protection and Digital Information (No. 2) Bill (the Memorandum).

We have a number of questions to put to you, which will help inform our report to the Senedd on the Memorandum.

I would be grateful to receive a response to the questions in the Annex by 1 June 2023.

I am copying this letter to the Economy, Trade and Rural Affairs Committee and to the Culture, Communications, Welsh Language, Sport and International Relations Committee, as these matters may be of interest to their work.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies
Chair

ANNEX

Clauses 54 (Power of public authority to disclose information to registered person) and 56 (Code of practice about the disclosure of information)

You are aware that the UK Government is of the view that clauses 54 and 56 of the Bill do not require the Senedd's consent as, in its view, these clauses relate to reserved matters. We note that it is your view that the UK Government has taken an "extraordinarily wide interpretation" of the reserved matter of 'internet services', and that you consider that these clauses relate to devolved matters of public services, economy and business and are, therefore, relevant provisions for the purposes of Standing Order 29.

Question 1: Please would you clarify why, if the Welsh Government is of the view that the devolved areas of public services, economy and business are engaged for clauses 54 and 56, the Senedd's consent should not also be sought for other substantive provisions of Part 2 of the Bill (clauses 46 to 60).

Question 2: Specifically in relation to clause 56, at paragraph 39 of the Memorandum you state that further consideration needs to be given to the devolved implications of a UK-wide Code of Practice, and that you will provide an update in due course. Are you as yet in a position to provide an update to the Senedd?

Clauses 61 to 77 (Part 3, Customer Data and Business Data)

Clauses 61 to 77 of the Bill provide various delegated powers to the Secretary of State and to the Treasury.

Question 3: At paragraph 42 of the Memorandum you state that further consideration needs to be given to the devolved implications of the regulation-making powers in clauses 61 to 77 and that you will provide an update in due course. Are you as yet in a position to provide an update to the Senedd?

Clause 92 (Disclosure of information to improve public service delivery to undertakings)

You will be aware that this clause amends section 35 of the *Digital Economy Act 2017* (the DEA Act 2017) to enable the sharing of information to improve the delivery of public services to businesses, expanding on the existing gateway which allows specified public authorities to share information to improve the delivery of public services to individuals and households. "Specified persons" are listed in Schedule 4 to the DEA Act 2017 and include 'Welsh Bodies' (various devolved Welsh authorities). Section 35 of the DEA Act 2017 allows the "appropriate national authority" to make regulations to add "specified persons" and "specified objectives". The "appropriate national authority" includes the Welsh Ministers in relation to Wales.

The amendments made by clause 92 of the Bill to section 35 of the DEA Act 2017 have the effect of extending a pre-existing delegated power (a Henry VIII power) exercisable by the Welsh Ministers in relation to Wales, by adding the word “undertakings” (meaning businesses and charitable bodies) alongside individuals and households. As an example, the Welsh Ministers would have the power to set a “specified objective” that, subject to other conditions in section 35, would have the purpose of improving a public service provided to undertakings. Previously, the scope of this power would have been limited to improving a public service to individuals and households.

Question 4: Please would you confirm that our understanding of the position is correct and that the amendments made by clause 92 do extend a pre-existing Henry VIII power exercisable by the Welsh Ministers, and clarify the reasoning behind this omission of information from the Memorandum.

Clause 93 (Implementation of law enforcement information-sharing agreements)

You will be aware that clause 93 provides a delegated power to the Secretary of State to implement, via regulations, international agreements relating to the sharing of information for law enforcement purposes.

In the Memorandum you state that the Welsh Ministers should be given appropriate powers to make regulations for the purpose of implementing an international agreement relating to sharing information for the aspects of law enforcement within the Senedd’s competency, and that this issue is subject to ongoing discussions with UK Government.

Question 5:

- a) Could you provide an update on these discussions?
- b) What is the Welsh Government’s view of the reserved and devolved matters in this area?
- c) Could you give an example of how international agreements falling under clause 93 might fall to the Welsh Government and/or devolved public bodies to deliver?
- d) Are you aware of upcoming international agreements that would be implemented via the Bill’s powers?
- e) We raised concerns during our scrutiny of the Welsh Government’s Legislative Consent Memorandum for the Health and Care Bill about the implementation of international healthcare agreements using secondary legislation, as proposed in this Bill. At that time, the Minister for Health and Social Services provided assurances that such agreements would be governed by an intergovernmental Memorandum of Understanding (MoU) that was updated to reflect the Bill (a version was made available to us in February 2022). Could you confirm whether similar intergovernmental arrangements will be put in place for international agreements falling under clause 93 of this Bill (if and when enacted)? Is this something the Welsh Government is advocating for?

f) During our consideration of the UK/Switzerland Convention on social security coordination in November 2021, you explained that no new requirements were being placed on Welsh Local Health Boards to deliver its arrangements. What is your view on the extent to which international agreements falling under clause 93 might place additional requirements on the Welsh Government or Welsh public bodies to deliver?

Clause 36 (Interview notices)

You will be aware that clause 36 inserts into the *Data Protection Act 2018* new section 148A which makes provision about interview notices, which can be used to require a person to attend an interview and answer questions when required by the Information Commissioner (the "Commissioner"). We note that, in practice, the reference to the Commissioner will be read as a reference to the newly-formed Information Commission, courtesy of section 102(2) of the Bill.

Additionally, clause 36 inserts new section 148B, which places certain restrictions on the circumstances in which the Commissioner can require a person to answer questions under an interview notice. Subsection (9) lists bodies to whom the Commissioner cannot give an interview notice, including: "the Office for Standards in Education, Children's Services and Skills in so far as it is a controller or processor in respect of information processed for the purposes of functions exercisable by His Majesty's Chief Inspector of Education, Children's Services and Skills by virtue of section 5(1)(a) of the Care Standards Act 2000." The functions referenced relate to the registration of children's homes in England, residential family centres in England, fostering agencies in England or, where the activities of a fostering agency are carried on from two or more branches, the branches in England, voluntary adoption agencies whose principal office is in England, and adoption support agencies in England or, where the activities of an adoption support agency are carried on from two or more branches, the branches in England.

No similar exemption is contained in the Bill for functions related to registration of similar establishments and agencies in Wales meaning that the Commissioner will be able to issue an interview notice in relation to those matters in Wales but not in England.

Question 6:

- a) Please would you clarify if this represents the Welsh Government's chosen and preferred position?
- b) Has the Welsh Government had discussions with the UK Government about the drafting of clause 36 and its effect in Wales?

Other matters

In the Memorandum, you outline various concerns that you have with the Bill as a whole. In particular, at paragraph 34, you explain that there are concerns that "the introduction of the Bill creates a risk to

the UK's current adequacy decision, which was granted in June 2021 by the EU for a period of 4 years initially. The potential loss of EU data adequacy is a key concern from a trade perspective as this would be a major threat for Welsh exporting businesses, whose main overseas market continues to be the EU."

Question 7:

- a) Are you able to expand on the implications for Wales should that adequacy decision from the EU be lost?
- b) If the Bill passes in its current form, what is your view of its impact on the EU's adequacy decision?
- c) What discussions have you had with the UK Government in relation to this issue?

Agenda Item 4

By virtue of paragraph(s) vii of Standing Order 17.42

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