

Agenda – Equality and Social Justice Committee

Meeting Venue:

Committee Room 3 (Senedd)

Meeting date: 10 February 2025

Meeting time: 13.30

For further information contact:

Rhys Morgan

Committee Clerk

0300 200 6565

SeneddEquality@senedd.wales

Private pre-meeting

(13:15–13:30)

Private meeting

(13:30 – 14:05)

At its meeting on 3 February 2025, the Committee resolved under Standing Order 17.42(vi) to exclude the public from item 1 of today's meeting

1 Child poverty: technical briefing regarding the Child Poverty Monitoring Framework

(13:30–14:05)

(Pages 1 – 21)

David Willis, Head of Tackling Poverty, Welsh Government

Ian Jones, Head of Communities Tackling Poverty Evidence Unit, Welsh Government

BREAK

(14:05–14:15)

Public meeting

(14:15– 14:50)

2 Introductions, apologies, substitutions and declarations of interest

(14:15)



3 Child poverty: evidence session with Professor Rod Hick

(14:15–14:50)

Professor Rod Hick, Cardiff University

4 Papers to note

(14:50)

4.1 Correspondence from the Expert Advisory Group on Childcare to the Minister for Children and Social Care regarding childcare funding

(Pages 22 – 24)

4.2 Correspondence from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Wales Race Forum Members regarding social media misinformation

(Pages 25 – 32)

4.3 Correspondence from the Legislation, Justice and the Constitution Committee to the Minister for Culture, Skills and Social Partnership regarding legislative consent memoranda on the Employment Rights Bill

(Pages 33 – 34)

4.4 Correspondence from the Legislation, Justice and the Constitution Committee to the Llywydd regarding legislative consent memoranda on the Employment Rights Bill

(Pages 35 – 36)

4.5 Correspondence from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Chair regarding updates from Welsh Government relating to Women’s Experiences in the Criminal Justice System

(Pages 37 – 44)

4.6 Correspondence from the Chair to the Children, Young People and Education Committee regarding an invitation to join a technical briefing from Welsh Government and Professor Hicks concerning Child Poverty

(Page 45)

4.7 Correspondence from the Cabinet Secretary for Economy, Energy and Planning to the Culture, Communication, Welsh Language, Sport and

**International Relations Committee regarding the Legal Consent Memorandum
on the Data (Use and Access) Bill**

(Pages 46 – 49)

- 5 Motion under Standing Order 17.42 (vi) and (ix) to resolve to
exclude the public from the remainder of this meeting and for the
Committee meeting on 17 February 2025**

(14:50)

- 6 Child poverty: consideration of evidence**

(14:50–15:15)

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Agenda Item 4.1

Dawn Bowden MS
Minister for Children and Social Care

By email

27 January 2025

Dear Minister,

We write on behalf of the Expert Advisory Group on Childcare (EAGC) to share our concerns regarding the childcare budget outlined in the Draft Budget and plans for Phase 3 of the Flying Start programme's childcare element.

First, we welcome the increase in the daily rate for childcare providers. This measure is vital for the sector's sustainability. The additional £20 million and the exemption of registered childcare providers from small business rates are much-needed steps to support the childcare sector.

However, we are deeply concerned about the limited additional funding allocated to childcare in this budget. As you have noted, the new funding primarily offsets the increase in daily provider rates, offering no substantial investment to address the systemic challenges facing childcare in Wales.

Moreover, the additional funding fails to recover the significant reductions the childcare budget has already endured. The £16.1 million redirection during the October 2023 in-year spending review and the subsequent £11.2 million cut in the 2024-25 budget represent a cumulative loss of [£27.3 million](#) over two years. This reduction stands in stark contrast to the [£128.4 million Barnett Consequentials](#) from increased childcare investment in England and the overall [£1.7 billion](#) uplift in the Welsh Government's budget.

We understand that the Welsh Government faces challenging decisions in allocating its budget and must carefully prioritise available resources. However, the additional funding allocated to childcare falls significantly short of addressing the substantial cuts the sector has endured and the critical need for investment to meet the growing demands of families and providers.

We had hoped that increased funding would reverse the previous cuts and signal renewed investment in childcare. However, the limited additional funding leaves uncertainty about the Welsh Government's commitment to tackling the childcare crisis in Wales.

Reports from various organisations consistently highlight how childcare in Wales remains unaffordable and inaccessible for many families.¹ Barriers to accessing childcare disproportionately impact low-income families and families with disabled children and children with additional needs, preventing parents from working and depriving children of critical early educational benefits, thereby perpetuating cycles of poverty.

With more than half of children living in poverty in Wales belonging to families with a child aged 0 to 4, affordable, accessible, and high-quality childcare is essential. It supports parents, particularly the second earner in couple households, to enter or remain in the workforce, thereby reducing poverty. Tackling child poverty is a stated priority of the Welsh Government, and childcare is a critical component of any effective child poverty strategy. Given that one of the key approaches of the child poverty strategy is to [“reduce costs and maximise the incomes of families”](#), childcare plays an even more critical role in effectively implementing the strategy, as it directly affects family finances while enabling parents to participate in the workforce.

Flying Start, as an anti-poverty strategy, has proven the Welsh Government’s commitment to addressing child poverty through early years investment. While the EAGC does not view Flying Start as a comprehensive solution for childcare, we support its expansion to all two-year-olds as a step in the right direction.

In your correspondence with the EAGC and in Senedd debates, you have reaffirmed the Welsh Government’s commitment to expanding Flying Start’s childcare element. Additionally, you noted that local authorities have been commissioned to prepare for this expansion. However, we remain unclear about the implementation of these plans, particularly in the absence of a dedicated budget. Your [statement](#) to the Children, Young People, and Education Committee highlighted the challenge of delivering without a confirmed budget, raising concerns that Phase 3 expansion of Flying Start may be delayed or suspended.

Therefore, we would like to ask you to provide clarity on the following:

1. How are local authorities expected to plan for the expansion of Flying Start without a clear budget allocation?
2. Does the absence of budgetary provision in the Draft Budget signal a suspension of Phase 3?

¹ [Little steps, big struggles: Childcare in Wales](#) (November 2023), [Tackling disadvantage through childcare in Wales](#) (January 2024), [Family Childcare Promise: The effects of introducing a cap on childcare costs for families with 0-4 year-old children in Wales](#) (July 2024); [Ending Poverty in Early Years](#) (December 2024)

3. How will the Welsh Government address the systemic challenges in the childcare sector, including ensuring that Flying Start's expansion supports families with disabled children and those with additional needs?

Evidence shows that childcare is central to reducing child poverty. In [your oral statement](#) of October 1, 2024, you emphasised the importance of a child's first 1,000 days and reaffirmed child poverty as a priority for the Welsh Government. With childcare consuming nearly half the income of the lowest-income families, decisive action is needed to meet the commitments of the child poverty strategy.

The EAGC would welcome the opportunity to discuss our concerns and explore ways we can support the Welsh Government in achieving its goals for childcare and poverty reduction.

Thank you for your attention to this critical matter, and we look forward to your response.

In the interests of transparency, copies of this letter will also be sent to opposition party spokespeople, and we will be making it public in the next few days.

Kind regards,

Sarah Rees (Head of Oxfam Cymru) and Steffan Evans (Head of Policy (Poverty), Bevan Foundation) on behalf of the Expert Advisory Group on Childcare

Jane Hutt AS/MS
Ysgrifennydd y Cabinet dros Gyfiawnder Cymdeithasol, y
Trefnydd a'r Prif Chwip
Cabinet Secretary for Social Justice, Trefnydd and Chief Whip

Agenda Item 4.2


Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: JH/PO/31/2025

Wales Race Forum Members

30 January 2025

Dear all,

Support for social media misinformation

Over recent weeks, we have seen an increase in social media misinformation posts resulting in a direct backlash against race equality and Nation of Sanctuary organisations here in Wales. Some of you, your organisations and your staff will have been directly targeted because of the spread of this misinformation.

I am writing to let you know we stand in solidarity with you and the communities you work with.

I am very grateful for the work you do with Black, Asian and Minority Ethnic communities across Wales and your continued partnership with communities and other organisations to deliver the goals of our Anti-racist Wales Action Plan. I recognise that this is a difficult time for you and your staff, volunteers and clients.

We take this issue very seriously and are concerned about the impact this may be having on you so please find attached some trusted resources and sources of information available which can help you. If your organisation has received direct abuse or threats, or you feel unsafe because of an incident, I encourage you to report this to the Police.

Wales Hate Support Centre

If you experience or witness a hate crime or incident, I would encourage you to report this by contacting the police or the Wales Hate Support Centre, either by telephone 0300 3031 982 or by visiting <https://reporthate.victimsupport.org.uk/> The Wales Hate Support Centre provides free, independent and confidential support and advocacy for all victims of hate crime.

Our Hate Hurts Wales campaign materials, including a campaign toolkit which explains more about how to use the materials, are also available to download from the Welsh Government's asset service website:

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jane.Hutt@llyw.cymru
[@gov.wales](https://twitter.com/Correspondence.Jane.Hutt)

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.

<https://assets.service.gov.wales/?tag=Mae+Casineb+yn+Brifo+Cymru+%2F+Hate+Hurts+Wales>. Please note that this link is **not to be shared on social media or on websites and is for stakeholder use only**. There are instructions on the website about how to register and download the materials.

Misinformation toolkit

A draft toolkit has been designed to help you, as a community leader, to guide your community through times of crisis or uncertainty. It will help you and your community members to identify and stop the spread of false information and communicate effectively during difficult times. We welcome your feedback about its helpfulness and areas for improvement.

For The Record

For The Record is an open resource to fact check and clarify claims made about Welsh Government policies. The blog provides factual information on Welsh Government policies to help inform public understanding. The attached blog provides information on the Refugees in Wales story.

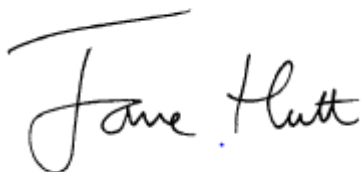
[Refugees in Wales | For The Record](#)

[Cofnod Cywir | Gwybodaeth ffeithiol am bolisïau Llywodraeth Cymru](#)

I am proud of the important work you do, and I am grateful for your resilience during this challenging time. I know, within a challenging climate, you are doing everything you can to support Black, Asian and Ethnic Minority in Wales. We are also proud of the work of schools across Wales to ensure all children are welcomed in and receive an inclusive education.

Please continue to keep my officials informed of any further direct targeting of your important work using the mailbox cohesion@gov.wales

Yours sincerely,



Jane Hutt AS/MS

Ysgrifennydd y Cabinet dros dros Gyfiawnder Cymdeithasol, y Trefnydd a'r Prif Chwip
Cabinet Secretary for Social Justice, Trefnydd and Chief Whip

Cc. WCVA
WLGA
Wales TUC
Police & Crime Commissioners

Enc. Draft Misinformation toolkit.

Helping Your Community Navigate Information During a Crisis

Introduction

This toolkit is designed to help you, as a community leader, guide your community through times of crisis or uncertainty. It will help you and your community members identify and stop the spread of false information and communicate effectively during difficult times.

1. Helping your community spot false information

What is false information?

False information, or "misinformation," is incorrect or misleading information which has been shared, often accidentally. It can cause – or be caused by – confusion and fear. This sometimes leads to harmful actions. It can often spread because of a combination of widespread anxiety and a lack of information (sometimes referred to as an 'information vacuum').

How to help your community build resilience to misinformation

If you are approached by a concerned community member:

a) Encourage individuals to ask themselves questions, such as:

- "Where did this information come from? Is this a credible news source?"
- "Does this sound too good (or bad) to be true?"
- What are the motives of the people who are creating or sharing this information?

b) Identify trustworthy sources:

- Make a list of reliable local and national news websites, radio stations, and TV channels
- Share official government websites and social media accounts where accurate updates are posted
- Explain why these sources are trustworthy (e.g. they have professional journalists, they correct mistakes openly, they have obligations to present balanced information to readers)

c) Recognise warning signs of false information:

- Warn about posts that use very emotional language to induce anger or fear, or eye-catching headlines that seem unbelievable or too simplistic
- Explain that messages which say: "Share this with everyone you know!" are often unreliable
- Point out that misinformation often spreads through WhatsApp or text message chains, as well as on social media.

For example, you could say: "Dear community members, in times of uncertainty, false information can spread quickly. Before sharing news, please ask yourself: Where did this information come from? Is it from a trusted source like the BBC or Welsh Government? Does it sound too alarming to be true? If you're unsure, it's best not to share. Stay informed, stay safe!"

Some useful resources which can help community members to understand how misinformation spreads:

- [Fake News - Teaching Resources - BBC Teach](#)
- [Find the fake quiz - Internet Matters](#)
- [Fake news and misinformation advice hub - Internet Matters](#)
- [Bad News – Play the fake news game!](#)

2. Stopping the Spread of False Information

a) Think before sharing:

- Encourage everyone to take a moment to pause before sharing something which looks like important news. Always read the full article before sharing something based on the headline or initial paragraph.
- Use the mantra: "When in doubt, check it out!"
- Explain that it's okay to say to other community members, "I'm not sure if this is true, so I won't pass it on"

b) Report hate and false information:

- Show step-by-step how to report false posts on social media
- Create a simple way for community members to tell you about suspicious information they've seen
- Signpost the [Hate hurts Wales](#) website for community members to report hate experienced online or in the community

c) Check the facts:

- Introduce websites like FullFact.org which often check if news stories are true
- Promote a simple fact-checking method: "If you see a story, get a second opinion. Try to find it on at least two trusted news websites before believing and sharing it"
- Encourage people to ask you or other community leaders if they're concerned about some information they have seen.

d) How to challenge effectively

- If you are talking to someone who has been misinformed, it is often not helpful to simply tell them they are wrong
- Start by focusing on listening with curiosity, asking open questions and reflecting what you have heard so they know you have understood their perspective
- If you would like to correct something, first ask them whether they would be open to contrasting information, and once you have provided it, ask them what they think about this information. (This is known as the Ask-Offer-Ask technique)

Example message: "Important reminder: Think before you share! • Take a moment to verify information • Check trusted news websites • If in doubt, check it out! Help stop the spread of false information. Together, we can keep our community well-informed."

IMPORTANT TIP: DO NOT REPLY TO FALSE INFORMATION

The content we see on our social media newsfeeds is determined by algorithms which select which posts are likely to generate the most engagement (for example, comments and shares).

This means that if we directly reply to misinformation, we are telling the algorithm to promote the misinformation into more users' newsfeeds. We also directly expose our followers or friends to false information which they would not have otherwise seen.

Instead, you can try:

- Messaging the individual privately (if safe to do so and you feel that the post has not been shared to deliberately mislead) explaining that their content is inaccurate and asking them to take it down
- If you believe they are spreading it deliberately, block and report them to the social media platform.
- If you believe the information may be hateful or harmful, you can also report this to [the Police online](#).
- Share accurate information instead, without attaching this to the original false information. Encourage others in your network to safely do the same

e) What to do if you get trolled

- Trolling is a form of online abuse, where one or multiple (often anonymous) social media users target an individual or organisation with negative and offensive messages.
- Guidance from the Center for Countering Digital Hate can help you and your community members mitigate the impacts of being trolled on social media:
 - Resist the urge to respond
 - Block trolls immediately
 - Switch off your app notifications
 - Do not post saying that you are being targeted
 - Get some space from social media and show yourself some compassion
 - If you feel like a message is potentially criminal or defamatory, screenshot it
 - Report the posts to the platform
 - Reach out to your network for support

Useful resources:

- [World Health Organisation - How to report content on social media](#)
- [Latest fact checks – Full Fact](#)
- [Ask-Offer-Ask! | Motivational Interviewing Blog](#)
- [Hate hurts Wales | GOV.WALES](#)
- [Don't 'Feed the Trolls' - CCDH](#)
- [For the Record – Factual Information on Welsh Government policies](#)

3. Communicating Clearly with Communities During Uncertainty

a) Be honest and responsive:

- Promise to share important news as soon as you can. Providing a regular, reliable flow of information is critical to building trusted relationships.
- If you don't know something, say "I don't know yet, but I'm working to find out"
- Provide clear tips about when and where updates can be found.

Example message: "Update on local situation: • There are reports of disturbances in the town centre • Police are on site and investigating • We don't have all details yet, but will update as soon as we know more • Please avoid the area but otherwise continue your normal daily routine. We're working to get accurate information. Stay tuned for updates. Contact 999 if you feel threatened and it is an emergency."

b) Use simple words:

- Avoid jargon or complicated terms - use words that everyone can understand
- Use short sentences and bullet points to make information easy to read
- If you must use jargon, explain what it means

Example message: "Important health update: • A new virus is spreading in our area • Symptoms include fever, cough, and tiredness • If you feel unwell, stay at home and call your doctor • Wear a face covering when you go out • Wash your hands often with soap and water These steps will help keep you and others safe. Questions? Ask us!"

c) Tell people exactly what to do:

- Give clear instructions like "Avoid the area" or "Wear a mask when you go out"
- Explain why these actions are important, e.g., "This will help keep you and others safe"

Example message: "Action needed: Flood warning. Heavy rain expected tonight. River levels rising quickly. If you live near the river: move valuables upstairs, prepare a bag with essentials, be ready to leave if told to do so, stay away from riverbanks and flood water. We'll keep you updated. Stay safe!"

d) Show you understand how people feel:

- Say things like "It's normal to feel scared or worried right now"
- Offer comfort: "We're all in this together, and we'll get through this"
- Share information about mental health support if available

Example message: "Dear community, we know these are scary times. It's normal to feel worried or stressed. Remember: • You're not alone • We're here to support each other • It's okay to ask for help If you need someone to talk to, call our community helpline: [number] We'll get through this together. 🤝"

e) Use many ways to share information:

- Post updates on preferred communication channels used by your community. This could be social media, WhatsApp, or by holding community meetings
- Make sure information is available in different languages if needed
- Provide information in ways that work for disabled community members (e.g., large print, audio messages)

Example message: "Stay informed! 🔔 Get crisis updates through: • This WhatsApp group • Our Facebook page: [link] • Community radio: 98.5 FM • SMS alerts: Text 'SUBSCRIBE' to 12345 • Town hall meetings: Every Monday, 7 PM Information available in [list languages]. For large print or audio, call [number]."

f) Listen to your community:

- Set up a phone number or email where people can ask questions. Make clear that this is not an emergency service and people should still call 999 if threatened.
- Hold regular Q&A sessions where you answer common worries
- Show that you're listening by addressing the concerns you hear in your messages
- Build strong relationships with organisations who can answer the concerns of community members. Work collaboratively with those organisations and hold them to account.

Example message: "Your questions matter! Join our weekly Q&A session: this week [Organisation A] will be joining us • Every Thursday at 8 PM • On Zoom: [link] • Or call: [phone number] Can't make it? Send your questions to [email/number]. We're listening and here to help!"

Good communication during a crisis is about being clear, honest, and caring. By following these guidelines, you can help your community stay informed, feel supported, and avoid the dangers of false information. If you need more help, don't hesitate to reach out to official government communication channels.

Jack Sargeant MS
Minister for Culture, Skills and Social Partnership

31 January 2025

Dear Jack

Legislative consent memoranda on the Employment Rights Bill

At its meeting on 27 January 2025, the Legislation, Justice and Constitution Committee considered the legislative consent memorandum and supplementary legislative consent memorandum which you laid in respect of the Employment Rights Bill on 5 December and 19 December 2024, respectively.

To inform our consideration of the memoranda, we would be grateful if you could provide further information in relation to some of the clauses of the Bill which you believe require consent, as set out below.

As you state in the legislative consent memorandum in respect of clause 26, the Senedd Commission is within the scope of this provision. Could you please provide further information as to why it is appropriate that the Senedd Commission is within its scope, while most devolved Welsh public bodies are excluded?

Clause 26 also provides that a Minister of the Crown must consult the Welsh Ministers before making regulations that apply to a number of bodies under this provision; however there is no similar requirement to consult the Welsh Ministers when making regulations that apply to the Senedd Commission. Could you please explain why this is the case?

Clauses 49, 52 and 54 remove or amend various provisions of the *Trade Union and Labour Relations (Consolidation) Act 1992*, as amended by *Trade Union Act 2016*; provisions which have been disapplied as regards devolved Welsh authorities by the *Trade Union (Wales) Act 2017*. Clause 71 accordingly repeals section 1 of the 2017 Act given it will become redundant and no longer have legal effect. Given that the subject matter of the 1992 Act is now expressly reserved under paragraph 141(d) of

Schedule 7A to the *Government of Wales Act 2006*, could you please clarify why you believe the provisions within clauses 49, 52, 54 and 71 require the consent of the Senedd?

As you state in the supplementary legislative consent memorandum, the Government amendments to clause 25 will result in powers being conferred on the Welsh Ministers in respect of devolved Welsh authorities. Please could you clarify, as per the requirement in Standing Order 29.3(iv), which Senedd procedure will be applicable to subordinate legislation made in exercise of these powers?

I would be grateful for a response to these questions by Thursday 13 February 2025. You will be aware that the Business Committee has set a reporting deadline of 7 March 2025 for the memoranda.

I am copying this letter to the Chair of the Economy, Trade and Rural Affairs Committee and the Chair of the Equality and Social Justice Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges
Chair

Rt Hon Elin Jones MS
Llywydd and Chair of the Senedd Commission

31 January 2025

Dear Elin

Legislative consent memoranda on the Employment Rights Bill

At its meeting on 27 January 2025, the Legislation, Justice and Constitution Committee considered the legislative consent memorandum and supplementary legislative consent memorandum laid by the Welsh Government in respect of the Employment Rights Bill on 5 December and 19 December 2024, respectively.

As part of our consideration, we considered a provision identified by the Welsh Government within clause 26 of the Bill. In the legislative consent memorandum, the Minister for Culture, Skills and Social Partnership, Jack Sargeant MS, states that clause 26 inserts a new section 78A into the *Equality Act 2010* which enables the making of regulations requiring certain employers and public bodies to prepare and publish an "equality action plan" dealing with matters of gender equality. The Minister also states that most devolved Welsh public bodies are excluded from this provision, but the Senedd Commission (under its previous name of the National Assembly for Wales Commission) is within the scope of the Bill.

We have written separately to the Minister to seek further information in respect of this provision, but we would also be grateful if you could set out any engagement you have had with the UK Government or the Welsh Government on this clause, and outline any views you may have on its inclusion.

I would be grateful for a response to these questions by Thursday 13 February 2025. You will be aware that the Business Committee has set a reporting deadline of 7 March 2025 for the memoranda.

I am copying this letter to the Minister for Culture, Skills and Social Partnership, the Chair of the Economy, Trade and Rural Affairs Committee and the Chair of the Equality and Social Justice Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges
Chair



Jane Hutt AS/MS
Gweinidog Cyfiawnder Cymdeithasol a'r Prif Chwip
Minister for Social Justice and Chief Whip

Agenda item 4.5

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: JH/PO/38/25


Jeny Rathbone, MS
Chair of the Equality and Social Justice Committee
SeneddEquality@senedd.wales

3 February 2025

Thank you for your letter of 8 January. In your letter you request updates in relation to some of the recommendations set out in your inquiry into [Women's experiences in the criminal justice system](#); and 'Actions not Words' your inquiry into [the Anti-racist Wales action plan](#).

The information you have requested in your letter is contained at Annex A.

I understand Lord Timpson has accepted your suggestion of a scrutiny session on the basis that the scope of the session be refined to focus primarily on reserved matters and how our two governments work together to support people in the justice system. On that basis I would be pleased to attend the session as well. Having discussed with Ministers we feel it would be appropriate for the Minister for Mental Health and Wellbeing to attend in place of the Counsel General and Minister for Delivery to better reflect the scope and focus of the session. Our offices will work with your Clerks to procure a suitable date.



Jane Hutt AS/MS
Gweinidog Cyfiawnder Cymdeithasol a'r Prif Chwip
Minister for Social Justice and Chief Whip

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

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CF99 1SN

Gohebiaeth.Jane.Hutt@llyw.cymru
Correspondence.Jane.Hutt@gov.wales

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.

Annex A

Update to the report Equality and Social Justice committee concerning Women's Experiences in the Criminal Justice System

Recommendation 1

The Welsh Government should map out the cost of the services it provides to identify those that it is responsible for as part of the current devolution settlement and those that currently fall within the responsibility of the Ministry of Justice. This work should be carried out by June 2023 and the Welsh Government should keep us informed of progress.

Update:

Welsh Government officials have now completed an exercise to map out our expenditure on justice-related activity, following a request from the Legislation Justice and Constitution committee. Our response to the Committee is attached for reference.

Recommendation 5

The Welsh Government should set out how it plans to work with partners to scale up its Women's Pathfinder Whole System Approach activity on early intervention and prevention so that it reaches all parts of Wales.

Update:

We are pleased to report that as of April 2024 a revised contract is in place for the One Wales Women's Service which extends the service across Wales.

Recommendation 6

The Welsh Government should work closely with HMPPS and local partners to identify where further Women's Centres should be developed. Further, the Welsh Government should set out the plans it and other partners have to develop sustainable funding streams to support the creation and work of these Centres.

Update:

Through our Women's Justice Blueprint we remain committed to strengthening the network of women's centres, hubs and safe spaces across Wales. Non-residential women's centres provide understanding environments that take into account responses to experiences of trauma, and work with women in a non-judgemental way.

Under the Women's Justice Blueprint, a best practice specification for women's centres has been developed. The specification highlights recognised best practice and key design features of a good women's centre model, drawing on learning from within Wales and beyond to support commissioners and providers to support

consideration of funding for existing and new centres taking account of local needs and differences.

We are already seeing an increase in women's centres across Wales with Nelson Trust opening a new Women's Centre in Newport and a Women's Hub in Dyfed-Powys, adding to their existing centres in Cardiff and Swansea.

Recommendation 7

The Welsh Government should work with the Ministry of Justice and HMPPS to identify gaps and to ensure there are sufficient community-based alternatives to custody available specifically for women across Wales.

Update:

We can confirm sentencers have access to a wide range of non-custodial options for women. These include deferred sentences, unpaid work, electronic monitoring, community sentence treatment requirements and rehabilitation activity requirements.

These options are available across Wales, and underline that custody should always be the last resort if it is needed at all. The Blueprint programme of engagement with sentencers has been helping to promote the visibility of these options, which are longstanding parts of the criminal justice system.

Recommendations 8 & 9

The Welsh Government must work with counterparts in the Ministry of Justice and with HMPPS to more clearly articulate the purpose and services the proposed Residential Women's Centre will offer.

The Welsh Government should work with the Ministry of Justice to ensure that Wales is represented in the development of the operational instructions and guidance relating to Residential Women's Centres.

Update:

The Residential Women's Centre remains a key priority of the Women's Justice Blueprint as it will improve the lives of women in Wales and provide an alternative to custody. The Centre will provide therapeutic accommodation for vulnerable women with complex needs in the Swansea area who would otherwise be sentenced to custody. It will also allow women to stay closer to home and maintain crucial family ties.

My officials and I are working with the UK Government to ensure the Residential Women's Centre remains a priority and is progressed quickly. I emphasised this to Lord Timpson when we met on 18 September 2024 and in a letter to him on 17 December. In addition, my officials regularly raise the progress of the Residential Women's Centre with the Ministry of Justice.

We welcome the Lord Chancellor's commitment in the 10 year prison strategy to reduce the number of women in prison through the new Women's Justice Board. I

was pleased to see that the new Women's Justice Board will consider Residential Women's Centres as an alternative to custody.

Recommendation 12

The Welsh Government should liaise with PACT to ensure prisoners are made aware of the support available to them, including how to contact elected Members from their home constituencies, to ensure people have equitable access to services they are entitled to.

Update:

Responsibility for information in prisons sits with HMPPS and we have flagged this recommendation to them. The Visiting Mums Service delivered by Pact now forms part of the One Wales co-commissioned contract. We will work with our co-commissioners to confirm that information about how to contact elected Members in Wales is available to women from Wales.

Recommendation 13

The Welsh Government should work with the Ministry of Justice and HMPPS to:

- carry out a formal evaluation of the Visiting Mum project.
- assess whether there are sufficient resources in place to facilitate work that enable families to stay connected such as the 'purple visits'.

Update:

An independent evaluation of the Pact Visiting Mum Service was undertaken by Cardiff University and Cascade in 2017. The Evaluation highlighted a number of positive findings for both the women and for their children and carers.

We continue to monitor the delivery of Visiting Mums service, through contract management processes where the Welsh Government is represented as co-commissioner. We also continue to work with partners to improve support for families, including supporting the launch of Pact's Schools Toolkit for children affected by imprisonment.

Recommendation 16

The Welsh Government should share its view on the forthcoming NHS England review once it is published and set out any action it plans to take as a result of its findings.

Update:

The Welsh Government notes the recommendations within the NHS England review.

In relation to the Mental Health and Substance Misuse in prisons. [The Partnership Agreement for Prison Health](#) was published in 2019 which set out new priorities for prison health and wellbeing in Wales

The Welsh Government has worked with the Royal College of Psychiatrists and Public Health Wales to develop new standards for mental health services and a new Substance Misuse Treatment Framework (SMTF) for our prisons in Wales.

Although there are no women's prisons in Wales – the SMTF and the new standards for mental health services include a focus on transition from prison to the community which will benefit women leaving prison and coming back into the Welsh community.

Welsh Government has consulted on both the draft SMTF and the draft standards for mental health services. The Consultation Response Summary Report has been published on the Welsh Government website.

The SMTF and the standards for mental health services are now being combined into a single framework, following consultation feedback. We have also commissioned the Royal College of Psychiatrists to carry out baseline assessments with Welsh prisons (which is currently underway in HMP Swansea).

Welsh Government is currently updating the Partnership Agreement for Prison Health and are planning to engage with the prison health teams to discuss future priorities. The focus on substance misuse and mental health is likely to remain a key priority, along with suicide and self-harm prevention.

Recommendations 17 & 18

The Welsh Government should work with HMPPS and local authorities to obtain Service Level Agreements with the remaining 16 local authorities, explore options for supported accommodation for low-risk women who are vulnerable and work with HMPPS to provide approved premises for high-risk women. This work should be carried out before Autumn 2023.

The Welsh Government should look at examples of best practice and innovation to see what accommodation solutions could be developed in Wales.

Update:

Welsh Government Officials continue to work with local authorities and HMPPS to promote stable accommodation for women leaving the secure estate. The Post Custody Accommodation Working Group have been leading on developing a stronger and more coordinated approach to housing for all people discharged from the secure estate. Over the past 12 months the group has prioritised the work to prevent the prison estate reaching critical capacity with a focus on accommodation to meet the needs of people released through the Early Release Scheme and the Standard Determinant Sentences SI.

Update to Inquiry into the Anti-Racist Wales action plan

Recommendations 5 & 10

The Welsh Government must improve the quality and availability of data to support the plan and publish a finalised monitoring and evaluation framework as a priority. The monitoring framework must be available to all organisations involved in the delivery of the plan and should be rolled out no later than October 2024.

The Welsh Government should establish a Welsh criminal justice observatory and seek further opportunities for collaboration with academia in the context of the ArWAP. An update on both should be provided by April 2025.

Update:

We have published the [Anti-racist Wales Action Plan: Impact Measurement Framework](#) which sets out the areas that will be measured across the plan, including crime and justice. A full technical document setting out the specific measures and their status for each policy area will be published in Spring 2025. We are developing an evaluation framework to follow.

We have published a [Review of Welsh Government equality data sources and outputs](#) which sets out which equalities data are collected and published.

We have published additional [analysis of the Census](#) to provide information on outcomes by ethnicity, disability and sexual orientation and gender identity.

The [Wellbeing of Wales: 2024](#) report was published and includes national outcomes data by ethnicity.

The Equality, Race and Disability Evidence Units are carrying out a number of other key projects to improve the equality evidence base including:

- Pooling data from the National Survey for Wales to provide more detailed analysis
- Assessing the feasibility of boosting the National Survey for Wales so more granular equality breakdowns can be provided
- Data linking to provide pay gaps data for different equality groups

On criminal justice data specifically we have published a [Youth justice: interactive dashboard | GOV.WALES](#). These interactive products take existing published information on the justice system in Wales which are spread across multiple areas of the UK Government website, and bring them together in a single dashboard so they are more accessible and clearer for a public audience. Both Dashboards were shared with the MoJ data team for comment before publication.

Jane Hutt MS

Cabinet Secretary for Social Justice, Trefnydd
and Chief Whip, Welsh Government

Julie James MS

Counsel General, Welsh Government

8 January 2025

Dear Jane,

General scrutiny of criminal justice issues

In addition to our letter dated 20 December proposing a joint ministerial scrutiny session on criminal justice, we would be grateful if you could provide a written update regarding two of our criminal justice-related workstreams: the inquiry into **Women's experiences of the criminal justice system**; and the **inquiry into the Anti-Racist Wales Action Plan (ArWAP)**.

We would welcome a general update on progress with regards to the issues covered in the women's experiences report and on recommendations 1, 5, 6, 7, 8, 9, 12, 13, 16, 17, and 18 specifically.

With regards to 'Actions, not words', our report on the ARWAP, we would welcome an update on the development of a monitoring and evaluation framework specified in recommendation 5 and recommendation 10. Poor availability and access to criminal justice data (with researchers often needing to resort to freedom of information requests to obtain Wales-specific data) was a key concern that led us to making the latter recommendation. We would therefore be grateful if you could outline any progress in addressing these concerns in your response.

As part of both updates, we would be grateful if you could include details of the following:

- the current status of the specified recommendations;
- details of the measures and actions taken by the Welsh Government since it published its response to the report;
- any challenges or opportunities encountered; and
- the expected timeline for any remaining steps.

We would welcome a response within the usual timescales and no later than 5 February 2025.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jenny Rathbone'. The signature is fluid and cursive, with the first name 'Jenny' written in a larger, more prominent script than the surname 'Rathbone'.

Jenny Rathbone MS

Chair of the Equality and Social Justice Committee

Senedd Cymru



**Equality and Social Justice
Committee**

Buffy Williams MS

Chair of the Children, Young People and Education Committee

Welsh Parliament

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0300 200 6565

January 28th 2025

Dear Buffy,

Child Poverty Strategy Monitoring Framework

On Monday, 10 February the Equality and Social Justice Committee will receive a technical briefing on the Welsh Government's Child Poverty Strategy monitoring framework from officials in a private session.

We will also hear from Professor Rod Hick in a public session. The sessions will be in hybrid format commencing at 13:30 and draw to a close around 15:00. Given your remit and longstanding commitment to these issues, we would like to invite you or a representative of the Committee to attend the sessions under Standing Order 17.49.

If this would be of interest to you or any of your Members, I would be grateful if you could please confirm by Wednesday 5th February if possible so that practical arrangements can be made.

I look forward to hearing from you.

Yours sincerely,



Jenny Rathbone MS

Chair, Equality and Social Justice Committee

Agenda Item 4.7

Rebecca Evans MS
Cabinet Secretary for Economy, Energy and Planning
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Delyth Jewell MS
Chair Culture, Communication, Welsh Language, Sport
and International Relations Committee
Senedd Cymru

05 February 2025

Dear Delyth,

Further to the laying of a Legislative Consent Memorandum (LCM) on the Data (Use and Access) Bill ('the Bill') on 2 January, I attach a copy of our updated assessment in relation to any potential impact of the Bill on the Trade and Co-operation Agreement (TCA). I am copying this letter to each of the Committees to which the LCM has been referred.

The previous First Minister made a commitment regarding the sharing of assessments of the impact of UK Government Bills on the TCA in January 2024, when responding to the Committee's recommendations relating to the International Relations Annual Report 2022-23. The commitment stated that *'the Welsh Government LCMs on Bills that impact on the UK-EU Trade and Cooperation Agreement should set out our assessment of such an impact'*.

I would like to clarify how I intend to fulfil the commitment. The TCA is the UK's most important trade deal and as such, the Welsh Government always considers how draft legislation could impact on our existing international obligations. Many UK Government Bills will have no identifiable impact on the TCA, or on any of our international obligations. In these cases, we would not provide an assessment to the Senedd. Where a Bill has a clear impact on the obligations made in the TCA, an assessment will be provided to the Committee only in relation to the provisions which the Senedd is asked to consent to. Including the provisions that do not engage devolved matters within technical assessments of Bills would place an unreasonable burden on Welsh Government teams and duplicate work that the UK Government will have already carried out. Assessments will continue to be provided in writing, as a separate document to the LCM itself.

In cases where my officials are concerned that UK government policy is incompatible with the TCA, we will continue to raise these concerns directly with the UK government.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

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Correspondence.Rebecca.Evans@gov.wales
Gohebiaeth.Rebecca.Evans@llyw.cymru

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.

However, it is ultimately for the UK government to ensure it has carried out its own due diligence and is compliant with any international obligations.

I trust that this approach will provide the Committee with the information required.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive, flowing style.

Rebecca Evans AS/MS

Cabinet Secretary for Economy, Energy and Planning
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio

cc. Chair, Economy, Trade and Rural Affairs Committee
Chair, Climate Change, Environment and Infrastructure Committee
Chair, Equality and Social Justice Committee
Chair, Legislation, Justice and Constitution Committee

Annex 1 - Trade and Co-Operation Agreement and the Data (Use and Access) Bill – Analysis

Will the Bill impact the UK's compliance with data protection provisions in the TCA?

1. Our view is that the UK Data (Use and Access) Bill ('the Bill'), will not have a direct or immediate impact on the UK's compliance with the Trade and Co-Operation Agreement (TCA), which is a Free Trade Agreement (FTA) between the UK and the EU.
2. Our view is that the changes to the UK data protection framework proposed by the Bill as drafted are unlikely to impact on the UK's compliance with the TCA, as its data protection provisions are generally broad and high level, except rules on data transfer relating to law and enforcement matters, which are more specific.
3. However, as with the previous UK Government's Data Protection and Digital Information (DPDI) Bill (which fell following the dissolution of Parliament), we are concerned that this Bill could signal the beginning of the UK's divergence from the data protection regime currently in place across the EU by diluting the protections provided by UK legislation set out in the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA). Regulatory divergence over the medium-to-long-term has the potential to undermine the data protection provisions in the TCA across a broad range of policy areas, including digital trade which is essential for public services and private businesses, and law and enforcement.

Why could the UK's divergence from the EU's data protection regime undermine the TCA?

4. Data adequacy decisions¹ made by the EU about the UK confirm that the UK is recognised as having an equivalent level of protection for personal data as the EU, enabling personal data to flow freely between the EU and the UK, supporting public services and private businesses. The UK adequacy decisions also help to facilitate implementation of the TCA which includes a commitment by the EU and UK to uphold high levels of data protection standards.
5. Our view is that there a number of provisions within this Bill that potentially undermine the current data protection framework, and therefore may threaten relevant adequacy decisions.
6. The key concerns relate to:
 - provisions which will dilute a data subjects' rights, such as the dilution of protections around automated decision-making;
 - the addition of duties for the Information Commissioner which may impact upon the requirement for the Commissioner's complete independence, free of direct or indirect external influence;
 - the different standard of treatment of international data transfers compared to the EU, which may be an impediment to adequacy should this matter be litigated; and,
 - The totality of the Secretary of State's regulation-making powers result in a high degree of control around data protection with limited safeguards.

¹ [Adequacy | ICO](#) – UK Information Commissioner's Office website

7. The potential loss of EU data adequacy is a key concern from a trade perspective. This would be a major threat for Welsh exporting businesses whose main overseas market continues to be the EU, and which rely on smooth data transfers with the EU, particularly multinationals with parent or sister companies based in EU countries. If the UK were to lose its data adequacy status, implementation of the safeguards required by the EU would mean additional administrative and reporting requirements for businesses, as they would be required to undertake additional, potentially costly, compliance activities.
8. From a broader perspective, the loss of data adequacy could also impact the delivery of those public services which rely on the flow of personal data from the EU, for example in education and local government. From a Health perspective the risks are even more significant, with the loss of data adequacy potentially affecting the Welsh NHS and impacting aspects of our cooperation with the EU on health.
9. The UK government has provided assurances that it sees no threat to the adequacy agreement by the Bill. However, we have no evidence to prove or disprove this. Welsh Ministers have requested that the UK government shares a copy of its risk assessment on this matter, but we have not had it. Officials also will continue to seek assurances from the UK government on this matter.
10. Officials will continue to monitor the potential impact of the Bill on EU data adequacy and the TCA as it continues its passage through Parliament.