

Agenda – Equality and Social Justice Committee

Meeting Venue:

For further information contact:

Remote meeting via Zoom

Rhys Morgan & Mared Llwyd

Meeting date: 16 March 2026

Committee Clerk

Meeting time: 13:30

0300 200 6565

SeneddEquality@senedd.wales

Pre-meeting

(13:00–13:30)

Public meeting

(13:30)

1 Introductions, apologies, substitutions and declarations of interest

(13:30)

2 Papers to note

(13:30)

2.1 Correspondence from Audit Wales to the Finance Committee and the Public Accounts and Public Administration Committee regarding challenges and opportunities for Welsh public services

(Pages 1 – 17)

2.2 Correspondence from Ian Barrow Executive Director of HM Prison and Probation Service in Wales and Community Accommodation Service to the Chair regarding cross-government datasets relating to prisoners and their children and families

(Pages 18 – 19)

2.3 Correspondence from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Legislation, Justice and Constitution Committee regarding a recent meeting of the Inter-Ministerial Standing Committee

(Page 20)



- 2.4 Correspondence from the Equality and Human Rights Commission to the Chair regarding Wales Impact Reports**
(Pages 21 – 25)
- 2.5 Correspondence from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Chair regarding the expansion of HMP Parc**
(Pages 26 – 30)
- 2.6 Correspondence from the Cabinet Secretary for Transport and North Wales to the Chair regarding the Legislative Consent Memorandum on the Armed Forces Bill**
(Pages 31 – 34)
- 3 Motion under Standing Order 17.42 (vi) to resolve to exclude the public for the remainder of today's meeting**
(13:30)

Private meeting

(13:30– 15:00)

- 4 Briefing from Welsh Government officials regarding the Welsh Benefits Charter**
(13:30–14:15)

Claire Germain, Deputy Director Tackling Poverty and Supporting Families,
Welsh Government

David Willis, Head of Tackling Poverty, Welsh Government

Paul Neave, Head of Social Welfare, Advice and Department for Work and Pensions Policy, Welsh Government

5 Access to healthy, nutritious and affordable food: consideration of draft report

(14:15–14:45)

(To Follow)

6 Armed Forces Bill: consideration of draft report

(14:45 – 15:00)

(Pages 35 – 46)

Peredur Owen Griffiths MS
Chair
Finance Committee
Senedd Cymru

Mark Isherwood MS
Chair
Public Accounts and
Public Administration Committee
Senedd Cymru

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Reference: AC535/caf
Date issued: 26 February 2026

Dear Peredur and Mark

Challenges and opportunities for Welsh public services

As you are aware, I am approaching the end of my term as Auditor General over a period that coincides with the Senedd election. Whatever the policy priorities for the next Welsh Government, the incoming administration faces some big questions around the future sustainability of our public services.

We recently released a [podcast series](#) that explored my perspective on some of those issues. My reflections built on the work of Audit Wales over the past eight years, as also summarised through my earlier [Picture of Public Services](#) reporting, my [‘Firefighting to future-proofing’](#) commentary, and my [‘No time to lose’](#) report on implementation of the Well-being of Future Generations (Wales) Act 2015. The podcasts also touch on themes discussed during my appearance at the [Finance Committee on 5 November 2025](#) as part of its Welsh Government budget scrutiny and in my [supporting written evidence](#). That evidence highlighted various relevant examples from my more recent work.

As your committees reach the end of their own terms, I wanted to put on record a summary of some of the thinking that sits behind the podcast series, although this is by no means exhaustive.

Frustratingly perhaps, much of what I have set out is not new; for example, my reflections around our public service landscape mirror issues raised by my predecessor and, before that, by other commentators. These issues are, in my view, ever more pressing. In the course of my time as Auditor General, I have seen much that is good. But the challenges facing public services are huge and the scope for improvement considerable. I hope that these reflections, and the fabulous work of my colleagues at Audit Wales, will be drawn on by the next Senedd and Welsh Government as they seek to address those issues.

As I step down, I should like to thank both Committees and the wider Senedd for their support for the work of Audit Wales throughout my tenure.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Adrian Crompton', with a long horizontal stroke extending to the right.

ADRIAN CROMPTON
Auditor General for Wales

Copied to: Senedd Policy & Legislation Committees

Auditor General reflections on challenges and opportunities for Welsh public services

Wales has a strong and capable public service

The people of Wales rely on our public services – we see their impact and delivery all around us in our schools, our hospitals, our homes, our environment, our communities.

Those services in turn rely on the skill, hard work and dedication of hundreds of thousands of public servants – frontline staff, politicians, senior leaders – whose motivation is to serve their communities and to improve the lives of others.

Services have been tested by two decades of financial pressure, demographic and social change, ever increasing demand, and wider challenges from climate change, Brexit and global events. The COVID-19 pandemic rocked our society to its core and called for an unprecedented response. The residual effects of the pandemic are still with us today in the shape of pent-up demand for services and fundamental changes to society and behaviours.

There is much to reflect on and learn from the pandemic response, as we are still seeing played out through the UK public inquiry and wider scrutiny. However, we should recognise we also saw the very best of the public service in Wales during the response. Frontline workers continued their vital work, often under immense pressure; the NHS and local and central government collaborated to deliver life-saving initiatives such as the Test, Trace, Protect programme and mass vaccination; all parts of the public service adapted swiftly through remote working and service redesign to continue supporting their communities.

Though a dreadful time for so many, the response showed what can be achieved when public services are united around a clear, common objective and pulling in the same direction. We saw this too in how public services worked together to accommodate and support displaced Ukrainians arriving in Wales from early 2022 onwards, building on learning from the pandemic response.

But excellent service delivery is not just about responding to emergencies. The public have a right to expect it always and for the flexibility, collaboration and pace we saw in the pandemic to be standard. They should also expect that public money is well-managed and delivering good value.

Persistent and emerging challenges

Through the work of my office, I have consistently reported on some persistent challenges faced by the public sector.

Financial pressures

In local government, budgets have been squeezed. Fast rising costs in areas like children's services and temporary accommodation are bringing some councils to the very edge of financial sustainability.

Generally, we see councils having a sound grip on their immediate financial pressures but with many relying on reserves to balance budgets.

This approach is unsustainable in the long run. Individual councils, and the sector as a whole must strengthen their long-term planning, forecasting and oversight if they are to remain financially viable.

In the NHS, the Senedd passed legislation in 2014 requiring individual health bodies to break even over a three-year period and to have medium-term financial plans that are approved by the Welsh Government. Yet despite these statutory expectations, most health boards have been unable to meet that break-even duty for several years.

Despite record levels of investment and ever-increasing levels of savings, health boards are struggling to control costs driven by rising demand for services, overall growth in pay costs, and other inflationary pressures. With most health boards still unable to produce financially balanced three-year plans, the overall NHS deficit position is unlikely to change for the foreseeable future.

Those financial pressures stimulate an understandable focus on short-term financial management. But this reactive approach hinders the longer-term planning and transformational changes that are needed to create more financially sustainable services.

This is all before we add into the mix wider pressures, for example around the investment needed to support policy priorities around decarbonisation, deal with the impacts of climate change, and help society adapt. I have reported previously that the scale of spending that might be needed in these areas, and where that funding will come from, remains unclear.

Against this backdrop, making the most of every pound of public spending is essential. The work of my office gives assurance that, overwhelmingly, public money

is well managed. Many public bodies demonstrate strong governance and accountability. However, there is still waste, error, and fraud. Exercises like the data matching we facilitate as part of the UK-wide National Fraud Initiative are an important part of our counter fraud landscape. However, there is much more that public bodies need to do to raise their game in response to increasing fraud risks.

Demand and performance

Demographic and societal change, and the lingering impact of the pandemic are driving ever-increasing demand.

In some important areas, service performance and quality are declining. My 2025 report on cancer services, for example, described a failure to meet key waiting time targets and growing inequalities in outcomes despite increased funding. These issues are compounded by workforce shortages, ageing infrastructure, and rising public expectations.

Simply allocating more funds does not guarantee a solution. Except for 2022-23, the NHS has seen large, above inflation increases in its funding in recent years yet still it is unable to break even and performance in many areas is unsatisfactory.

And that ever-growing share being taken by the NHS undoubtedly squeezes the resource available for other areas. That changing pattern of funding between sectors needs to be rebalanced if important services are to be sustainable, and better outcomes need to be achieved across the board with the public money that is available.

Complexity and fragmentation

The public service delivery landscape in Wales is crowded. By way of illustration, my office audits the accounts of close to 100 larger public bodies and structures, even before considering other smaller bodies that I audit, notably the over 700 town and community councils.

In addition, various partnership and collaborative arrangements exist to address the challenges and problems that cannot be addressed by individual organisations alone; for example, Public Services Boards, Regional Partnership Boards and Corporate Joint Committees.

These partnership structures are of variable effectiveness – with some very good and others less so. They often work on differing geographical footprints and can have

overlapping memberships and objectives. They each require contributions from many of the same players, so spreading available resource more thinly.

While every one of our public bodies and partnership structures is no doubt rooted in a well-intentioned rationale, the combined effect is overly complex.

That complexity leads to a system that can be fragmented and slow-moving, with overlapping responsibilities and unclear lines of accountability. This complexity can hinder transformation and make it difficult for citizens to navigate services or understand who is responsible for what.

Our work also shows how many public bodies often fail to capture the service-user perspective. This affects service design, public understanding of lines of accountability, and the ability of service users to navigate what can be complex and poorly signposted systems.

Trust and confidence

I have growing concerns about declining trust and confidence in public services and governance structures across Wales.

That is not unique to Wales and is fed in part by factors beyond our control – broader geopolitical and domestic political issues, societal changes, change in the way people access media, information and analysis, the public's view of politics nationally and internationally.

Some factors, though, are much more within our gift. To win and maintain public trust and confidence, we must consistently demonstrate public service delivery that is timely and of good quality. When outcomes are poor and are not seen to improve – or seen to worsen – it is unsurprising that the public loses confidence in the public sector's capability. Not so much in the efforts of individuals and frontline services, but organisationally and system-wide.

We know from our own work and wider evidence that poverty and inequality remain deeply entrenched in many communities despite the best efforts of local government and others.

Similarly, my work in the NHS has shown that the failure to meet targets in key areas such as elective waiting times and ambulance handovers has sadly become the norm. This is demoralising for staff and will colour patients' views.

A further factor, on which I have a direct line of sight, is governance. It might not sound the most obvious cause of low public confidence, but I believe it is important.

The overwhelming majority of public sector organisations are well governed most of the time. Regrettably, though, I have reported on too many examples of poor organisational governance at every tier of the public sector – from the Welsh Government itself to the NHS, local government, some central government organisations, and the smallest tier of government in our town and community councils.

I fear even a small number of such cases colour the public's perspective of public sector governance in the round. These failures invariably feature some weaknesses in process such as poor record-keeping, application of policy, or a lack of transparency. But more significantly, in my view, many governance failures in public organisations are rooted not in process but in human behaviour.

If those in the public sector, especially in positions of leadership, lose sight of the required values and behaviours, the effects are damaging. They manifest in the form of poor decision making, relationship breakdown, wasted public money – on settlement payments, legal or consultancy fees – and distracted organisational leadership and service provision.

And every time the public sees such examples, it further undermines their confidence and trust: trust that is essential if the public is to support the kind of transformation required to make our public services sustainable for the long term.

Opportunities to do things better

Getting the basics right

Effective public service delivery begins with getting the basics right. Years of financial pressure has left some important areas under-invested and this needs addressing if we are to improve services and increase public sector productivity.

Digital

The technology already exists to transform service delivery, reduce costs and improve the user experience. I recognise that the public sector is already working to improve its approach to realising benefits from digital solutions and identifying services requiring transformation.

This work must replace antiquated IT systems, improve the quality and shareability of data, recruit and retain scarce skills in high demand across the economy, and reshape service delivery with citizens and users at the heart. The challenge is considerable.

The potential efficiency gains in those services are enormous, with more modern and responsive public services delivering improved service to customers. However, I have also emphasised the importance of balancing spending on infrastructure with work to tackle the root causes of digital exclusion. And while artificial intelligence presents great opportunity, it is not without risk.

My work on councils' digital strategies has revealed uneven progress. Only half of Welsh councils had up-to-date digital strategies, and many lacked robust arrangements for resourcing, monitoring, and evaluating impact.

In the NHS, digital transformation can be extremely slow and made more difficult by funding and capacity constraints, information governance challenges, and a lack of consistency on the 'Once for Wales' approach.

One prime example of these challenges can be seen in my previous reporting on the implementation of the Welsh Community Care Information System where, unfortunately, the reality of implementation did not meet the original ambition.

More specific and closer to home, my audit work could be made far more efficient and effective if the bodies we audit had modern systems for their financial and

performance information. In many cases, bodies instead have ageing, unreliable systems that are difficult to interrogate or integrate.

Many systems are outdated and not fit for purpose, limiting the ability of organisations to manage operations effectively or provide timely, reliable data for audit and decision-making. This technological deficit hampers both assurance and accountability, and crucially the ability to modernise and join up services to make them more efficient and improve the end-user experience.

So investing in updated finance and performance platforms is not simply to benefit the auditor – that is a relatively marginal matter. The more important question, and what should be front of mind for senior leaders, is how can they expect to run well-governed organisations, and take informed decisions, without them? Outdated systems can also increase cyber-security risks, something public bodies cannot afford to be complacent about.

Workforce

Workforce pressures are a recurring theme across my work. In all sectors and many specialised areas, staffing challenges – exacerbated by rising demand – have strained service delivery.

Examples from our work include capacity and capability challenges within the Welsh Government's civil service, pressure resulting from recruitment and retention challenges in the NHS and education, and in other specialised areas such as digital transformation, planning, active travel, building safety, and flood defence.

We see in our audit of accounts work too that many organisations are struggling to recruit and retain high quality finance professionals. This is concerning, and not just because we need these people to help produce good quality sets of accounts but because the finance profession has an important role to play in plotting a path to a more sustainable future for our public services.

Competition for specialist skills is inevitable, even within the public sector, and there will always be questions for public bodies to ask themselves about what they do in-house and what could be done by other organisations. But there needs to be a stronger approach to developing coherent workforce strategies, aligning staffing models with future service needs, and developing staff accordingly. Without this, policy ambitions risk being undermined by operational constraints.

Asset and infrastructure management

The efficient maintenance and improvement of existing assets such as roads, hospitals, schools and flood defences is every bit as important as getting value for money in building new infrastructure. After all, new assets will only deliver promised benefits if they are properly maintained.

All too often our work has highlighted the false economy of allowing maintenance backlogs to build up. Not least within the NHS where challenges with an outdated estate can drive inefficiencies, cost and impact negatively on patient care.

So a disciplined approach to asset management, for each part of the public estate, is an essential component of the change we need to see.

Overall, the Welsh Government spends more than £3 billion a year on infrastructure, although a lot of that is delivered through other public bodies. My recent review of how the Government is managing that significant spend shows clear effort to align it with wider strategic outcomes.

But these benefits will not magically materialise. It will need a concerted effort to line up the machinery of government – baking these benefits into plans from the outset and ensuring they are delivered over the longer-term. These issues are within the Welsh Government’s gift to put right but rely on a sustained improvement in programme and project management that has not been achieved to date.

The underlying weaknesses in some of these basic building blocks of our public service contributes to the second area where I believe change is required, namely productivity and value for money in the public sector.

Productivity and value for money

In the face of rising demand pressure and ever-more stretched budgets, improving productivity and delivering better value for money is essential.

Our work points to some of the productivity challenges for the public sector, especially in the NHS where outputs in terms of activity have not increased in proportion to additional inputs in terms of money and capacity in areas such planned care.

I am sure that leaders across the public sector share an ambition to make a step change in productivity. There’s enough evidence from the positive examples we have found in our work to be confident that significant amounts of public money can be

freed up. But it will take a disciplined, focused, cross-government approach over several years to fully realise the potential and make the exceptional the norm.

Hence, my reports consistently highlight that VFM is not just about spending less, it is about making the money we do have work better. A good example is the number of people who are in hospital awaiting discharge. While there has been some recent improvement, the picture across Wales remains challenged, absorbing huge costs and adversely affecting patient flow and the optimal rehabilitation of patients.

Many discharge delays are a result of waiting for social care support, often linked to funding and resource pressures in local authorities. Better funding to increase social care capacity would therefore free up significant NHS resource and represent a cost-effective way of improving patient experience and outcomes.

In a context of constrained budgets and rising demand, public bodies must focus on outcomes, not just outputs, and ensure that every pound spent contributes meaningfully to public well-being. At a very basic level, our work shows that too often public bodies lack reliable data with which to assess value for money and are unclear as to the outcomes they are looking to achieve.

My work on Active Travel, for instance, demonstrated how the Welsh Government itself is unclear about how assessment of its policy is to be achieved. As a result, significant sums had been invested without a robust means to assess its effectiveness and value for money.

And I have reported previously on how the Welsh Government had not done enough to ensure its investment in affordable housing contributes to wider policy objectives and to be able to tell a clear story on that front.

Many public organisations struggle to report on outcomes effectively. Performance tends to focus on outputs—such as the number of services delivered—without evaluating the difference those services make.

It is vital too that the public sector views value for money through the lens of the Well-being of Future Generations Act, which requires public bodies to consider long-term impacts, prevention, integration, collaboration, and involvement. As I have emphasised through my reporting on implementation of the Act, we cannot afford for public services to design solutions that do not meet people's needs, burden future generations with avoidable higher costs, or miss opportunities to deliver more with the same or less.

That much sharper and relentless focus on the delivery of value for money also requires a mindset shift to one focused on prevention and the longer term.

Shifting to a long-term, preventative mindset

Public Health Wales has estimated that for every £1 invested in public health interventions, there is a return of £14. This includes reduced demand on hospitals, social care, housing, and emergency services.

But too often, public services operate in crisis mode, responding to immediate pressures rather than planning for the future. This short-termism is reinforced by annual budget cycles, reactive funding decisions, and political incentives that prioritise quick wins over sustainable outcomes.

The Well-being of Future Generations Act provides a legislative framework to do something different – to act for the long-term and to act preventatively by addressing the root causes of issues, rather than dealing with the symptoms.

However, I have highlighted recently some prime examples where public bodies have been struggling to make a meaningful shift towards prevention, as evidenced for example in my work on cancer services and on how councils are managing temporary accommodation demand. This is despite there being clear evidence that investment in prevention makes sense from a value for money perspective.

Though Wales has an overarching, legislative framework to drive a longer-term, preventative mindset, our work suggests it is not yet doing so.

One of the challenges with prevention is that benefits take time to materialise. This lag can make prevention politically and operationally difficult, especially in a climate of financial pressure. However, the long-term gains—in health, well-being, and cost savings—are substantial and well-evidenced.

The Welsh Government has a critical role in enabling prevention. This includes setting coherent policy frameworks, aligning funding mechanisms, and creating incentives for collaboration.

It must lead a shift towards long-term financial planning, integrated delivery models, and cross-sectoral working. This means breaking down silos and ensuring that prevention is a whole-of-government priority.

Prevention cannot be achieved through isolated programmes. It requires a more radical, whole-system change and joined-up working between a range of agencies such health, social care, housing, education, and the third sector, with aligned accountabilities and funding streams and shared outcomes. Prevention must be embedded not just in strategy documents, but in everyday decision-making,

budgeting, and service design. Without this any policy aspirations around prevention risk becoming more rhetoric than reality.

Reducing complexity

As noted earlier, the current landscape of Welsh public services is characterised by a web of organisations, partnerships, and governance structures. The cumulative effect is a system that is fragmented and difficult to navigate.

While it is not for me to blueprint the alternative, I am clear on the need to simplify and avoid further complexity. If starting from a blank sheet of paper, we would surely not design the arrangements we currently have in place.

Reducing complexity is not about dismantling collaboration but about streamlining it. We need fewer, clearer structures with well-defined and sharper lines of accountability.

This is also not simply about rationalising the number of public bodies or making their collaboration with each other more effective. Reducing complexity and strengthening integration and collaboration applies just as much to the internal functioning of public organisations. These are expectations set by the Well-being of Future Generations Act where our work demonstrates much more needs to be done.

Citizen-centred design must underpin this simplification: services should be organised around the needs of people, not the convenience of institutions. This means engaging communities in shaping services, using plain language in communication, ensuring that performance information is meaningful and accessible, and considering the equality and other impacts of decisions. It also means being honest with the public about what constitutes safe and affordable public service provision, especially in relation to health and care services.

A simpler, more streamlined public service in Wales would also help breakdown silos within and between sectors and support better sharing and embedding of good practice. The latter is something that Wales seems to struggle with and all too often my work points to unexplained and often unacceptable variation in performance across different public bodies. This is despite our relatively small size and the close connections of many in the public sector. When good practice is established in part of the public sector, a more robust approach to 'adopt or justify' elsewhere may be required.

As Auditor General I see complexity manifested in other ways, including through our annual audit of the accounts of public sector bodies. A dry topic to some, this work is

essential if the public and the Senedd are to have an accurate and timely picture of the state of the public finances. For individual organisations, that accuracy and timeliness are essential if good decisions are to be taken.

For our local authorities, for example, the financial regime in which they operate is becoming increasingly technical with disproportionate emphasis on things like asset valuations and pension liabilities. Important, but obscuring what truly matters to users – councillors, officers, the public – namely, how public money is spent and the value it delivers.

I see some particular challenges emerging in this area which, if not addressed, will quickly weaken the overall financial regime and lead to poor decision making and a reduction in transparency.

Leadership

Addressing the areas I have mentioned will require political and executive leadership.

That means being honest about the scale of change required, making difficult decisions, and communicating clearly the necessary trade-offs. It also means modelling the behaviours we want to see: integrity, collaboration, and a relentless focus on outcomes.

The Welsh Government has a pivotal role to play in enabling this transformation. It is our system leader, sets the tone, and provides the legislative and financial frameworks within which other public bodies operate. While the Welsh Government does much that is good, too often I find myself reporting that it needs to be clearer and firmer in its system leadership.

My work has also highlighted examples where the Welsh Government can do more to support implementation of legislation it has introduced and follow up on whether it is being implemented effectively and having the desired impact.

It must provide clarity and coherence across policies, funding, and accountability frameworks. Mixed messages – such as promoting prevention while incentivising short-term performance targets – undermine progress.

This has been my central message in much of the work we have done around the Well-being of Future Generations Act. So that, for example, the expectation on organisations to plan and act for the long term and with prevention in mind, is not undermined by funding decisions, target setting, and accountability frameworks that incentivise the opposite.

I recognise the intense pressures faced by public sector leaders. These are difficult jobs. It is testament to them that our work often highlights examples of good practice where leaders have taken bold decisions in difficult circumstances.

But as noted already, my work on governance and transparency has also shone a light on the small number of cases where leadership fails to uphold the desired values. The result can be costly, public confidence erodes and service effectiveness suffers.

The challenges facing Welsh public services are complex and systemic. They cannot be solved by technical fixes or incremental change. They require bold decisions, honest conversations, and a shared commitment to doing what is needed.

Conclusion

Despite the significant challenges facing public services, there is potential for meaningful reform and improvement, especially if the themes I have described are sincerely addressed.

Wales is a small, tightly networked country; a population of just over three million people; a newly expanded legislative parliament and a government with significant autonomy; its public spending budget of nearly £30 billion represents almost one third of Welsh GDP; and despite challenges its public sector is highly capable and well-resourced compared to many countries.

One of our advantages is our scale. We are big enough to act strategically but small enough to be agile, collaborative and innovative. We can convene the key players on any issue, enabling us to act swiftly and cohesively in a way that is much harder in larger jurisdictions. That is a great base to work from.

The expansion of the Senedd to 96 members marks a further significant milestone in Welsh democracy. The public sector will rightly look to that new Senedd and Welsh Government for leadership in tackling the challenges I have outlined.

I very much hope that the larger legislature uses its additional capacity to improve scrutiny and accountability, and thereby to strengthen evidence-led policymaking. If not, a hard-won constitutional change will have been wasted.

As it does so, the message I would leave after eight years in the role of Auditor General is that radical transformation is needed.

It is possible, but difficult, and will require a clarity of purpose on the scale of that seen during the Covid years.

Public service leaders across Wales recognise the scale of the challenge and many are already navigating complex environments with limited resources. But the pace and progress need to be increased.

If not, our current model of public service delivery is not sustainable. Money will become even more thinly spread, services will continue to deteriorate, and outcomes will worsen. There must be a shift from short-term firefighting to long-term futureproofing, as I have called for consistently.

The Welsh Government has a critical role in providing leadership and in creating the conditions for transformation. This includes reducing funding uncertainty where possible, aligning policy and delivery frameworks, incentivising collaboration and

encouraging investment in prevention. It must also lead by example, embedding the sustainable development principle in its own operations and ensuring that its actions match its policy intent.

And even then, success will hinge on individuals making the right choices. Funding, process, frameworks and policies are important, and of course the work of auditors, regulators, politicians, and the media are essential in holding public organisations accountable. But those scrutineers should not, and cannot, be everywhere. Ultimately, our public services rely on thousands of people making the right choices, taking the right decisions, and acting in the right way.

The challenge for government and organisational leaders throughout the public sector is to make that as easy as possible – to lead by example, to role model desired behaviours, to give clarity about the scale of challenge and permission to make the changes required, and to create an environment in which all those in public service can play their part.

HM Prison & Probation
Service in Wales

Jenny Rathbone AS

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27th February 2026


Dear Ms Rathbone,

I am writing in response to your request for information on when the work underway by the BOLD programme to link cross-government datasets relating to prisoners and their children and families will be available.

The BOLD programme intends to publish information on estimates of children of prisoners by local authority for England and Wales in Summer 2026. This will include Welsh geographic breakdowns, subject to the dataset being sufficiently large enough to ensure that no individual can be identified.

The data source for this publication will be Ministry of Justice (MoJ) prisoner records is linked to HMRC Child Benefit records.

Yours sincerely,



Ian Barrow

Gwasanaeth Carchardai a Phrawf EF yng Nghymru a'r Gwasanaethau Llety Cymunedol
Executive Director HM Prison and Probation Service in Wales and Community
Accommodation Service

**Y Pwyllgor Cydraddoldeb
a Chyfiawnder Cymdeithasol**

**Equality and Social Justice
Committee**

Ian Barrow
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13 February 2026

Dear Ian Barrow,

Disaggregated data on experiences of the criminal justice system

Thank you for your letter dated 3 February 2026, which the [Equality and Social Justice Committee](#) considered at its meeting on [9 February 2026](#).

Whilst we welcome the work underway exploring the feasibility of producing more robust, disaggregated data on parental imprisonment and the work to link cross-government datasets, we would appreciate if you could please give us an indication of the precise timetable for this work and when we might expect such information will be available.

Thank you in advance for your consideration of this request.

Yours sincerely,



Jenny Rathbone AS
Chair, Equality and Social Justice Committee

Cc:

Cabinet Secretary for Social Justice, Trefnydd and Chief Whip, Jane Hutt, MS
Minister for Children and Social Care, Dawn Bowden, MS

Agenda Item 2.3

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change and Rural Affairs



Llywodraeth Cymru
Welsh Government

Our ref: HID PO 113 26

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

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2 March 2026

Dear Mike,

I am writing in accordance with the inter-institutional relations agreement to draw to your attention a [Written Ministerial Statement](#) summarising discussions at the most recent meeting of the Inter-Ministerial Standing Committee ('IMSC').

Further to my letter notifying you that the original meeting scheduled for 5 February had been postponed and that I would write again once a new date had been agreed, I was unable to provide further pre-notification as the revised meeting date was agreed at short notice.

This letter has been copied to the Chairs of the following Committees: Finance; Economy, Trade and Rural Affairs; Culture, Communications, Welsh Language, Sport, and International Relations; Health and Social Care; and Equality and Social Justice.

Yours sincerely,

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd
a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

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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.



Comisiwn
Cydraddoldeb a
Hawliau Dynol

Equality and
Human Rights
Commission

Agenda Item 2.4

Equality and Social Justice
Committee
Senedd Cymru

Via email only

Friday 27 February 2026

Dear Chair,

Subject: Wales Impact Reports and Legacy Report

The Equality and Human Rights Commission is Britain's equality and human rights regulator for Great Britain and an 'A' status National Human Rights Institution for Wales and England, and for reserved matters in Scotland.

We have worked closely with the Equality and Social Justice Committee during the Sixth Senedd and thought we would support your legacy reporting by linking you to our Wales Impact Reports.

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

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[Wales Impact Report 2024 to 2025 | EHRC](#)

[Wales Impact Report 2023 to 2024 | EHRC](#)

[Wales Impact Report 2022 to 2023 | EHRC](#)

[Wales Impact Report 2020 to 2021 | EHRC](#)

Some examples, relevant to the work of the Committee, in our Impact Reports include:

- Our evidence and key recommendations to the Committee's inquiry into disability and employment were included in your inquiry report. We provided both written and oral evidence to the Committee. Key recommendations made by the Committee aligned with our advice.
- The Committee's inquiry report into the implementation of the Anti-racist Wales Action Plan reflected a number of our recommendations. These included providing clarity on future resourcing for the action plan, improving the availability of data to support the plan and publishing monitoring frameworks.

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

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Monitoring Welsh Government progress towards its international human rights obligations

Our [Human Rights Tracker](#) is an online tool that monitors how effectively the Welsh and UK governments are meeting their human rights obligations. It currently contains more than 70 assessments of the Welsh Government's actions in response to recommendations issued by UN Human Rights Committees. We believe this evidence base is a valuable resource for informing the Committee's legacy report, providing an up-to-date picture of the state of human rights in Wales across a broad range of thematic areas.

Our briefing, [Monitoring Welsh Government progress towards its international human rights obligations](#), provides the background and information regarding monitoring processes. This briefing introduces the process for monitoring compliance with international UN treaties which will be useful for future Committees

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

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Additional Information : Briefing - Equality and human rights in Wales.

This briefing provides a robust evidence-based snapshot of the most pressing equality and human rights issues in Wales, taken from our state of the nation [Is Wales Fairer? 2023](#) report. This highlights what has been achieved during the Sixth Senedd, in addition to the equality and human rights issues that will need to be addressed during the next Senedd.

We would like to take this opportunity to thank the Equality and Social Justice Committee for your work during the Sixth Senedd. If there is anything you would like us to clarify, or would like any further information, please let us know.

Yours sincerely,

Ruth Coombs

Head of Wales

Direct telephone: 029 2044 7710

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

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Briefing

Equality and human rights in Wales

August 2025

EHRC Wales

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Introduction

Who we are

The Equality and Human Rights Commission is the equality regulator for Great Britain and the National Human Rights Institution for Wales and England, and for reserved matters in Scotland. We have a statutory mandate to advise the Welsh Government and the Senedd on matters relating to equality and human rights.

The Equality Act 2006 places duties on the Commission to provide advice to governments on equality and human rights enactments.¹ Find out more about the Commission's work on our [website](#).

As an A-status National Human Rights Institution (NHRI) we are assessed against the [Paris Principles](#). The Commission was last re-accredited as an A-status NHRI in May 2024.

¹ [Equality Act 2006](#), section 11 [accessed 22 November 2024]

About this briefing

Purpose

This briefing provides a robust evidence-based snapshot of the most pressing equality and human rights issues in Wales today. It will help prospective candidates and political parties understand the challenges ahead as they prepare themselves for the election and the new Senedd term, and develop their own plans for 2026 and beyond.

It provides a summary of some key aspects of our Equality and Human Rights Monitor: Is Wales Fairer? 2023, set out in the key domains of life. This overview draws on data to measure progress on equality and human rights in Wales. It is intended to support evidence-based decisions.

Our aim is to drive action and meaningful change, to make life fairer for everyone.

Approach taken

The evidence for this briefing has been taken from our Equality and Human Rights Monitor: Is Wales Fairer? 2023. Where specific Welsh evidence is not available, for example where data are missing or are not sufficiently disaggregated, we have used relevant evidence from our Great Britain report “Equality and Human Rights Monitor 2023”.

The Equality and Human Rights Monitor 2023 is our state of the nation review for Britain. How we assess equality and human rights for this review is set out in our [Measurement Framework](#). This explains how we examined different areas of life, which we call domains. This briefing captures our findings for the key domains of interest to candidates and political parties ahead of the next Senedd.

You can read further detailed analysis in the [Equality and Human Rights Monitor 2023: Is Wales Fairer?](#) and the [Equality and Human Rights Monitor 2023](#).

Cross cutting/framework

Summary

This chapter reports on important overarching findings on equality and human rights in Wales that are not necessarily related to a specific protected characteristic and / or domain.² Data and evidence gaps in Wales limit our ability to undertake a comprehensive assessment of progress of equality and human rights in Wales.

Data gaps exist across all protected characteristics and there is a lack of disaggregated data by protected characteristic across policy areas that would strengthen evidence-based policy and decision making. Data collection methods should allow for intersectionality and include both qualitative and quantitative methods.

It is imperative that data and evidence gaps continue to be filled to gain a clearer national, regional and sectoral understanding of equality and human rights issues in Wales. Such evidence is also critical to better understand the impacts of both COVID-19 and increases in the cost of living.

Key findings

The proportion of Welsh residents aged three or over that had any skills in Welsh decreased slightly from 2011 to 2021, as did the proportion who reported being able to speak Welsh. (The number of Welsh residents born outside the UK has increased by 28.3% since 2011).

² The domains we use are outlined in our measurement framework (EHRC, 2017)

A smaller proportion of children who are eligible for free school meals (FSM) achieved 5 GCSEs grade A*-C (52.5%) in 2020/21 compared to those who are not eligible (79.8%). The attainment gap has not changed since the last report and remains higher than the gap in England.

In 2021/22, 57.2% of people in Wales aged 16 and over were in employment. However, pre-pandemic employment growth has stagnated since our last statutory review, with gains in employment tailing off.

In Wales adult and child poverty rates have been variable. It is too soon for the data to show the full effect of the pandemic and the cost-of-living crisis but in 2020/22 over one-in-five people (adults and children), and over one-in-four children, were living in relative income poverty.

Between 2020 and 2022 the number of families in temporary accommodation nearly doubled in Wales from 2,324 to 4,465 households.

Life expectancy at birth estimates for Wales suggest that improvements in life expectancy have been slowing, with suggestions that COVID-19 mortality contributed to a drop in life expectancy in the most recent figures. Average life expectancy in Wales is lower than England but higher than Scotland.

Education

What has improved?

Between 2018/19 and 2020/21, attainment at GCSE for pupils with a disability / Special Education Need (SEN) improved at a higher rate than for those without a disability / SEN. However, there remains a large gap between the two groups.

Ethnic minority pupils consistently achieve higher rates of attainment at GCSE than White British children, a difference that has increased slightly since 2015/16. However, there are variations in attainment between ethnicities.

Between 2012 and 2017, in early years' development, the attainment gap reduced between those eligible for FSM and those who are not eligible. The early years' attainment gap between those eligible for FSM and those who are not narrowed from 21.4 percentage points to 17.0 percentage points for boys and from 15.3 percentage points to 11.5 percentage points for girls.

There has been an increase in the proportion of Christians and those with No Religion obtaining a degree, from 22.9% and 23.7% respectively in 2012/13 to 32.3% and 31.0% in 2021/22. Despite this, they remain the religious groups least likely to have a degree.

Analysis of Annual Population Survey (APS) data on Wales found people aged 55–64 are least likely to have done any learning activity in the previous three months. However, the number of people of this age who participate in learning activities has steadily grown between 2010/11 (12.6%) and 2021/22 (16.6%).

What has got worse?

In early years attainment, children with a disability / SEN in Wales are falling behind children without a disability / SEN at a faster rate than in England or Scotland.

Gypsy, Roma and Traveller children experienced large drops in early years development decreasing from 56.2% in 2016/17 to 48.8% in 2018/19.

Permanent and fixed school exclusion rates have been rising, and rates remain significantly higher for boys than for girls.

There was an increase of young people aged 16–18 who were not in employment, education or training (NEET) at the end of 2021 at 13.6% (14,200) compared with 11.7% (11,900) at the end of 2020. There was also a slight increase of young people aged 19–24 who were NEET in 2021 at 16.3% (37,800) compared with 15.8% (37,700) in 2020.

Persistent inequalities

In 2018/19, the attainment gap in early years development for Gypsy, Roma and Traveller children compared with White British children was the largest of all ethnic groups at -35.0 percentage points.

Girls are more likely than boys to achieve expected outcomes at early years. 2018/19 there was an 8.8 percentage point gap in the proportion of girls and boys achieving a good level of development in early years. The gap was narrowest in 2016/17 (at 7.1 percentage points).

Pupils from ethnic minority backgrounds are excluded at higher rates overall than White pupils, but there are variations between ethnicities. For example, Chinese students are permanently excluded at the lowest rate and Asian students at the highest.

There are racial disparities in experiences of bullying in Welsh schools. According to findings from the Schools Health Research Network (SHRN), in 2017/18 Gypsy, Roma, Traveller and White Irish children reported the highest rates of both being bullied in person (45% and 48% respectively) and cyberbullying (33% and 27%). They also reported as being most likely to have bullied another person.

The persistent disadvantage gap has remained unchanged since 2011. Pupils who experience persistent disadvantage were about 29 months behind in educational progress in 2019.

At the time of the 2021 Census, there were approximately 8,200 young carers in Wales (1.8% of 5–17-year-olds). The demands of caring can affect educational attainment and prevent young carers from fulfilling their potential.

Analysis of Welsh Government data for 2021 suggests that men are slightly more likely (8.9%) than women (7.3%) to hold no qualifications. There are higher proportions of men than women with no qualifications in all age groups up to ages 50–59 and 60–64. Women are more likely than men to hold qualifications at or above level 4 (GCSE).

Work

What has improved?

Employment rates for those aged 16 and over have increased between 2011/12 (57.6%) and 2019/20 (61.3%), while both unemployment and economic inactivity rates fell.

All major ethnic groups have seen employment growth between 2010/11 and 2019/20, with particularly large growth for Black (from 54.0% to 63.6%) and Pakistani (43.9% to 54.5%) ethnic groups. The employment gap between White British and Black groups has completely closed, and the White British/Pakistani gap has narrowed significantly. However, change varies between Black African and Caribbean groups, and between sexes within the Black ethnic group.

Between 2013/14 and 2020/21, disabled adults' employment rates grew from 31.7% to 40.1%, and subsequently, the employment gap with non-disabled adults narrowed. However, evidence suggests that higher employment rates for disabled people may partially be driven by an increasing prevalence of disability in Britain.

In Wales (but not in England or Scotland), the proportion of ethnic minority workers in insecure employment has declined between 2010/11 and 2019/20. However, ethnic minority workers are still more likely to be in insecure work than White British workers.

What has got worse?

During the pandemic, previous trends reversed. Between 2019/20 and 2021/22, employment rates dropped, unemployment rates rose, while economic inactivity rates rose from 36.2% to 37.1%. The pandemic period affected groups differently:

-
- White ethnic groups (as a whole) have shown decline in employment and growth in economic inactivity. However, non-white ethnic minorities (as a whole) showed unchanged economic inactivity during the pandemic.
 - Adults aged 55–64 have shown significant decline in employment and increase in economic inactivity and unemployment.

In Wales, disabled workers' insecure employment rate showed a significant increase in 2021/22, creating a significant gap between disabled and non-disabled workers.

Although disabled workers' earnings have grown, the earnings gap between disabled and non-disabled workers has widened over time, from 12.0% in 2013/14 to 15.6% in 2019/20.

Between 2013/14 and 2019/20, disabled workers became increasingly more likely than non-disabled workers to be in a low paid occupation, as the gap between the percentage of disabled and non-disabled workers in a low paid occupation has widened.

Black workers (38.4%) are more likely than any other ethnic group to work in a low paid occupation and this has remained similar since 2011/12 (despite most other ethnic groups showing decline). This means that the gap between the percentage of Black and White British workers in a low paid occupation has widened.

Despite long-term growth in employment among the 55–64 age group, their earnings have not grown in real terms between 2010/11 and 2019/20. This has created a 10.9% wage gap with workers aged 45–54, who saw 52% growth in median hourly earnings during the same period.

Persistent inequalities

Several groups continue to earn less in 2019/20:

- Disabled workers compared with non-disabled workers (15.6% earnings gap). Earnings gaps are particularly large for workers with learning difficulties or disabilities (31.3% earnings gap).
- Bangladeshi workers compared with all other ethnic groups (16.7% lower earnings than White British) followed by Pakistani workers (10.5% lower than White British).
- Muslims workers have lower wages than all other religious/belief groups (15.8% lower than workers with No Religion).

People aged 16–24 and 55–64 continue to have lower rates of employment than all other groups aged under 65. Both these groups show higher rates of economic inactivity (even when excluding students) and younger people also continue to have higher rates of unemployment. Furthermore, workers aged 16–24 and workers aged over 70 are more likely than other workers to be in insecure employment. Evidence from the CIPD suggests that young people are also overrepresented in zero-hour contracts.

Living standards

What has improved?

Relative poverty after housing costs in Wales declined between 2015/16 and 2019/20 for:

- adults aged 25–34 from 28.5% to 20.0%
- adults aged 45–54 from 24.8% to 17.6%
- non-disabled adults from 22.4% to 17.9%
- men from 25.2% to 20.0%

Severe material deprivation declined over the long-term for working age adults, from 26.1% in 2010/11 to 14.2% in 2019/20. Between 2015/16 and 2019/20 severe material deprivation declined for:

- adults aged 25–34, from 28.1% to 19.9%
- disabled (40.5% to 24.3%) and non-disabled adults (15.3% to 11.0%), although it remains higher among disabled adults than non-disabled adults

What has got worse?

Relative poverty after housing costs in Wales rose for:

- adults aged 65–74, from 10.4% in 2010/11 to 18.0% in 2019/20
- Christian adults, from 15.0% in 2011/12 to 20.2% in 2018/19

The number of households in temporary accommodation has risen from 2,324 in March 2020 to 4,465 in March 2022, according to data from the Welsh Government.

Poverty rates rose among people aged 65–74 from 10.4% in 2010/11 to 18.0% in 2019/20. In 2021, 41% of all fuel-poor households were headed by someone aged 65 or over.

Persistent inequalities

Relative poverty after housing costs has not seen a statistically significant change in the long-term for the adult or child population overall, which was 20.9% and 31.3% respectively in 2019/20. Some groups with a consistently high poverty rate were:

- adults aged 16–24 (27.6%) and 35–44 (27.8%)
- disabled adults (27.3%) who remain more likely to be in poverty than non-disabled adults (17.9%)
- single-parent households. According to Welsh Government analysis, from 2020 to 2022, 38% of single-parent households were in poverty. Data from the Census 2021 shows that most (89.1%) single-parent households are headed by women

There was no statistically significant change in severe material deprivation between 2015/16 and 2019/20 for adults aged 35–44 (16.4% to 17.7%).

There remains a shortage of Gypsy and Traveller caravan pitches. The number of pitches on sites provided by local authorities increased by just 10 between July 2018 and July 2022 (from 399 to 409), according to data from the Welsh Government.

Single-parents and adults from Black and Other ethnic minority groups continue to be over-represented among homelessness applications:

- In 2018/19, single-parent households comprised 32.3% of homelessness cases according to analysis by the Welsh Government
- In 2021/22, 2.8% of applicants who were threatened with homelessness or found themselves homeless were Black, and 5.1% were from another ethnic group according to data from StatsWales

Research suggests 18% of dwellings in Wales have at least one category 1 hazard, putting older people's health at particular risk.



Health and social care

What has improved?

The proportion of disabled people reporting good or very good health increased from 35.8% to 37.7% between 2016/17 and 2019/20, however this was still much lower than non-disabled (89.2% in 2019/20).

Office for National Statistics (ONS) data show that there was some improvement in the suicide rate for those aged 15–24 as this decreased between 2016 and 2019, from 11.7 to 7.5 deaths per 100,000 people. There has been no significant change in all other age groups.

The proportion of social care users who agreed that care and support services have helped them to have a higher quality of life increased for those aged 65–74 years (from 76.0% in 2018/19 to 85.7% in 2020/21) and for Christian social care users (from 71.6% in 2018/19 to 84.3% in 2020/21).

What has got worse?

ONS analysis shows life expectancy decreased between 2018 and 2020 by 0.9 years to 82.1 years for females and 1.2 years to 78.3 years for males. This is linked to increased mortality from COVID-19.

In 2019/20, women were less likely to report being in good or very good health than men (69.9% compared with 72.9% respectively). Women's health has deteriorated from 2016 when they reported similar levels to men (72.9% for women compared with 73.2% for men).

The period of the COVID-19 pandemic saw negative trends for a number of groups' mental health:

-
- A Welsh Government review found that 69% of lesbian, gay and bisexual people reported depression, rising to 90% among those who had experienced homophobia or transphobia.
 - The School Health Research Network found that children and young people with very high symptoms of poor mental health increased from one in five to one in four between 2019 and 2021.
 - A Wales Fiscal Analysis found that women reported a deterioration in mental health between April 2020–March 2021 compared with 2009–2019. Average symptom levels of poor mental health among women increased the most in January 2021 (by 16.2% compared with the same month pre-pandemic).
 - This analysis also found that ethnic minorities were disproportionately affected by the loss of factors that were protective of mental health, such as stable, secure employment. For example, workers of Bangladeshi ethnicity were over three times as likely to work in an industry that shut down over COVID-19 compared with White workers.

The rate of children looked after by local authorities had been increasing substantially from 5,160 in 2010 to 5,610 in 2015.

Persistent inequalities

In 2018/19 some groups reported poorer mental health:

- More lesbian, gay and bisexual adults reported poorer mental health (31.8%) than heterosexual adults (20.9%)
- Women reported poorer mental health outcomes than men (22.6% compared to 20.3%)
- 34.3% of disabled adults stated they had poor mental health, compared with 15.4% of non-disabled people

The Schools Health and Research network found that 41% of Gypsy and Traveller children reported very high levels of symptoms linked with poor mental health in 2021.

Research by the NHS benchmarking network found that demand for mental health services for children and young people is high, but some groups are under-represented:

- Between 2020 and 2022 there was a 39% increase in demand for community mental health services.
- Asian, Asian Welsh and Asian British children are under-represented in community caseloads, while Black children are over-represented in in-patient beds.

The NHS benchmarking network also found that waiting times for child and adolescent mental health services (CAMHS) in Wales is higher than the UK average. In 2021/22, one in four patients in Wales, compared to one in five patients in the UK, waited for over 18 weeks.

Justice and personal security

What has improved?

Youth Justice Board data show that the number of children in youth detention has decreased. There were on average 450 children aged 10–17 in custody in England and Wales in 2021/22, a 47% decrease since 2018/19 and the lowest number on record.

The estimated prevalence of hate crime in the Crime Survey for England and Wales has fallen between 2007–2009 and 2017–2020, though not across all monitored strands. Over this period:

- sexual orientation hate crime has fallen 67%, though this decline has slowed since 2012–2015
- disability hate crime has fallen 38%
- race hate crime has fallen 31%, though this appears to be levelling off since around 2012–2015, when differences are no longer statistically significant

Data from the Home Office shows that recording of hate crime by the police has generally increased over the last few years. This is believed to be due to improvements in the reporting of these crimes and recording practices among police forces. Recorded hate crime for all strands was at its highest level in 2021/22.

What has got worse?

Data from the Home Office shows a total of 20,919 people entered immigration detention in the year ending March 2025 under immigration powers, 10% higher than the previous year. This increase continues an upward trend seen since 2023 which followed a longer-term downward trend since 2015³.

Home Office analysis of police-recorded crime data shows genuine spikes in racially and religiously aggravated offences around key trigger events, including the EU Referendum and Black Lives Matter protests and far right counterprotests.

Religiously motivated hate crime did not fall between 2007–2009 and 2017–2020, in a similar way to other hate crimes.

Charges for rape offences have fallen. Our analysis of police outcomes data in England and Wales found that between 2015/16 and 2020/21, the proportion of rape offences for female victims aged 16 and over fell from 10.5% to 2.6%, while for male victims aged 16 and over it fell from 5.1% to 1.0%.

Some cases do not end in a police charge because victims withdraw their case. Female victims have consistently been more likely to withdraw their case when the suspect is identified than male victims.

Our analysis of police outcomes data found that the proportion of female victims aged 16 and over who withdrew their cases when the suspect was identified increased from 35.4% in 2015/16 to 42.0% in 2020/21 while for male victims it stayed relatively stable, only increasing from 21.5% in 2015/16 to 23.6% in 2020/21.

Our inquiry into disabled people's experience of the criminal justice system found the increased use of remote links impeded effective participation and neurodivergent defendants found it particularly difficult to follow and participate in proceedings.

³ How many people are detained under immigration powers in the UK? Home Office 25 June 2025 [accessed 28 July 2025]

Persistent inequalities

Home Office statistics show that in England and Wales Black people are more likely to be arrested, have force used against them by police, and be subject to stop and search.

- The arrest rate in 2021/22 was 2.4 times higher for Black people than White people and 1.3 times higher for people from the mixed ethnic group. The arrest rate for Asian people (0.8) and other ethnic groups (0.9) was lower than White people for the first time.
- Police used force against Black people at a rate 3.5 times higher than against White people in 2021/22 (3.0 when excluding the Metropolitan Police).
- At the end of March 2022, Black people were stopped and searched 4.9 times as often as White people, down from 5.6 in 2020/21.

Ministry of Justice data shows Black individuals continue to be overrepresented in prisons in England and Wales. In 2022, 13% of prisoners in England and Wales declared themselves as being from a Black or Black British ethnic group (compared with 4% in the population). This has remained stable since 2013.

HM Inspectorate of Prisons surveys found that disabled prisoners in England and Wales were more likely to say they did not feel safe.

ONS analysis of the Crime Survey for England and Wales estimated that 121,000 women experience rape and 103,000 experienced assault by penetration a year, compared with 7,000 and 16,000 men experiencing rape and assault by penetration respectively. This has remained stable over time.

Participation

What has improved?

In the 2021 Senedd election (for the Sixth Senedd) 43.3% of elected assembly members were women, an increase from 41.7% in the 2016 elections (for the Fifth Senedd). However, due to membership changes during the Fifth Senedd the number of women in post in the Senedd had increased to 48.3% prior to the 2021 election.

The 2022 Local Government Candidates Survey in Wales found only 4% of elected county and community councillors were from an ethnic minority (excluding White minority) background, compared to 6.2% in the overall Welsh population. However, the proportion of councillors from ethnic minority backgrounds has increased compared with the 2018 survey.

Representation of women and ethnic minorities has improved among public appointees in Wales. Data from the Commissioner for Public Appointments shows that in Wales:

- The proportion of public appointments and reappointments of people from ethnic minority backgrounds increased from 3.9% in 2015/16 to 12.7% in 2021/22.
- In 2021/22, 58.8% of new appointees in Wales were women, compared with 55.6% in 2020/21.

The proportion of adults in Wales in all age groups who feel they belong in their local area has increased. In 2020/21, people aged 65–74 (89%) and 75 and over (90%) are more likely to feel they belong in their local area than those in younger age groups.

Welsh Government data shows that between 2018/19 and 2021/22 in Wales, the proportion of households with internet access at home improved for people aged 65–74 (83% to 88%) and 75 and over (54% to 71%).

What has got worse?

Analysis of the National Survey for Wales found that women are significantly less likely to feel safe in their local community than men. Women felt less safe in 2021/22 than they did in 2016/17. In 2021/22, 51% of women felt safe at home and walking or travelling in the local area (56% in 2016/17) compared with 81% of men (82% in 2016/17).

Public Health Wales analysis shows that in 2016/17, 18.3% of young people reported they did the recommended 60 minutes of physical activity per day in the past seven days, compared with 16.2% in 2021/22.

Persistent inequalities

People aged 75 and over were the most likely to have voted (80.8%) in the 2019 general election, and those aged 18–24 (53.6%) and 25–34 (53.6%) were the least likely.

In 2018/19, 72.6% of heterosexual adults in Wales agreed that they belonged to their local community compared with 63.2% of adults who are gay, lesbian, bisexual or 'other' sexual orientation.

Data from the National Survey for Wales shows that in 2021/22:

- People aged 65–74 (40.5%) and 75 and over (17.2%) were less likely than other age groups to have participated in any sport or physical activity.
- Men are consistently more likely to participate in sport than women in Wales, at 60.7% compared with 51.5% respectively in 2021/22.

Findings from Sports Wales show that in 2021/22, 42% of adults with a longstanding illness, disability or infirmity (compared with 68% without) participated in at least one sport or physical activity.

Older adults are at greater risk of digital exclusion and disadvantage. Those aged 65 or over are still significantly less likely than younger age groups to have internet access at home. Furthermore, only 24% of those aged over 70 are likely to use digital technology to support their health compared to 87% of people aged 16–19.

Conclusions

The data in our Equality and Human Rights Monitor: Is Wales Fairer? 2023 form the basis for the evidence in this briefing and show a mixed picture since our 2018 report.

There are some areas of progress. These include:

- greater diversity in public appointments
- a narrowing of the gender pay gap
- a narrowing of the employment gap between disabled and non-disabled people

There is significant work to be done to address some longstanding issues, and to respond to emerging challenges and opportunities.

We have seen little progress in several areas. For example, educational attainment for disabled learners in Wales is falling behind England and Scotland. Poverty remains a persistent problem. We have seen an increase in racially and religiously aggravated offences at the same time as a reduction in the number of offences resulting in a charge. Emerging challenges include artificial intelligence and climate change.

There are data and evidence gaps in Wales. They limit our ability to make a comprehensive and detailed assessment of progress. These gaps were exacerbated by the interruption to the flow of data caused by the pandemic. The gaps exist in the collection of data generally and in data broken down by region and protected characteristic.

We welcome the establishment of new national data units. It is vital that the data units and others continue to address data gaps to ensure access to better, disaggregated and consistent data. This can inform strategic decision making and achieve impact.

This briefing contains a snapshot of key findings from our *Is Wales Fairer? 2023* report, drawing on our data and evidence. We urge all parties and candidates standing for election to the Senedd in May 2026 to consider the full report as they develop their own plans for Wales.

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Agenda Item 2.5

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



Llywodraeth Cymru
Welsh Government

Ein cyf/ Our ref JH/PO/129/2026

Jenny Rathbone MS
Chair
Equality and Social Justice Committee
Welsh Parliament

SeneddEquality@senedd.wales

9 March 2026

Dear Jenny

Thank you for your letter of 6 February 2026 regarding the ESJ Committee's consideration of Dr Rob Jones' briefing on the Expansion of HMP Parc.

I welcome the opportunity to respond to your request for an update on the Welsh Government's position on the expansion of HMP Parc, coupled with progress against Recommendation 10 of the ESJ Committee's report on the implementation of the Anti-racist Wales Action Plan in 2024.

HMP Parc Expansion

The Welsh Government takes the concerns raised in Dr Jones' briefing seriously. As the Committee will be aware, HMP Parc has experienced ongoing challenges, highlighted by His Majesty's Inspectorate of Prisons (HMIP) in their April 2025 Report. This report followed an unannounced inspection of HMP Parc, which took place over 6 - 17 January 2025.

This report highlighted issues including high levels of drug availability within the prison, safety concerns raised by staff and prisoners and persistently elevated levels of self-harm. The report did however also mention positive practice at HMP Parc, such as collaboration with Bath University to provide 'innovative drug detection technology' and 'Parc Tank', an initiative where prisoners due for release pitch business ideas for investment.

I shared Dr Jones' briefing on HMP Parc with Lord Timpson, Minister of State for Prisons, Probation and Reducing Reoffending, on 22 December 2025 and met with him recently on

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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.

25 February 2026, to discuss this in further detail. I welcomed a constructive discussion regarding ongoing pressures within the adult prison estate, including at HMP Parc, with a focus on the expansion and potential implications for devolved services.

Also in attendance at my meeting with Lord Timpson was Ian Barrow, Chief Executive of HMPPS in Wales. Ian confirmed that HMIP conducted an interim review of HMP Parc in January 2026, which has now been published: [Report on an independent review of progress at HMP Parc by HM Chief Inspector of Prisons \(5-7 January 2026\)](#)

Ian wrote to me after the meeting, on 3 March 2026, to expand upon the findings of the review. Namely, he confirmed that 518 windows—62.5% of the total—have now been replaced, and that the project remains on track for completion by October 2026, though there are ambitions to complete this work sooner. The letter also set out areas of ‘reasonable progress’, including work to address weaknesses in mental health, substance misuse and education provision, as well as significant areas of ‘insufficient progress’, notably ongoing high levels of violence and self-harm, limited clinical capacity, inconsistent attendance at education and work, and delays in public protection checks.

The Chief Inspector, Charlie Taylor, left HMP and YOI Parc reassured that the establishment is on the right path. However, he was clear that without consistent staffing levels the prison regime will not improve, and progress will remain constrained. Ian shared that national challenges relating to staff vetting continue to have a direct impact on HMP and YOI Parc.

As the Committee will be aware, justice is not yet devolved to Wales, so the operational running of prisons is reserved to the UK Government. In relation to the expansion of HMP Parc, our position remains that any expansion must be accompanied by safeguards that ensure improved safety outcomes and do not exacerbate existing pressures on devolved services, particularly health, education, and social care. We continue to examine the cross-cutting impacts of expansion and are maintaining regular dialogue with UK Government counterparts at Ministerial and official level, to facilitate partnership working.

I have also raised the expansion of Parc Prison with Justice Unions in the context of our commitment to Social Partnership and shared policy objectives regarding the devolution of justice.

Progress against Recommendation 10 of the ESJ Committee’s report on the implementation of the Anti-racist Wales Action Plan in 2024

Recommendation 10 in the Equality and Social Justice Committee report, *‘Actions, not Words: towards an anti-racist Wales by 2030’*, published 15 March 2023, was accepted in principle. This recommendation called for the Welsh Government to *‘establish a Welsh criminal justice observatory and seek further opportunities for collaboration with academia in the context of the ArWAP’*.

Given the limits of the Welsh specific data currently available, we expect there will be opportunities for the research programme to undertake work to identify gaps in existing data availability and data needs, and obtain and analyse data on a thematic basis.

In February 2025, following an open procurement exercise, Welsh Government let a contract for a justice research programme to a consortium led by Miller Research. The programme is designed to provide evidence and insight to support preparations for devolving justice functions and powers to the Welsh Ministers and the Senedd; and to further support public understanding of justice outcomes for people in Wales.

This activity would complement the work we are undertaking to promote access to disaggregated justice data for Wales. We are working closely with the Ministry of Justice and His Majesty's Prison and Probation Service to work towards the goal of better understanding the justice system in Wales. The Wales Governance Centre in Cardiff University has also been engaged in that work, following its work over a number of years to establish where disaggregated data might be made available and to pursue the publication of that data.

Progress has also been made in data linkage. Data is being acquired for the Administrative Data Research (ADR) Wales so criminal justice data can be used for research. ADR Wales and Public Health Wales work has continued on the Better Outcomes through Linked Data (BOLD), programme in partnership with (MoJ). This includes over £1m funding received for a data linking project investigating substance misuse services and pathways in Wales.

I value the Committee's continued scrutiny of these important areas, especially as they relate to prisoner and staff safety, the effectiveness of justice policy in Wales, and our shared commitment to tackling racial inequality.

Yours sincerely,

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal stroke above the first letter 'J'.

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

**Y Pwyllgor Cydraddoldeb
a Chyfiawnder Cymdeithasol**

**Equality and Social Justice
Committee**

Jane Hutt MS
Cabinet Secretary for Social Justice, Trefnydd
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Dear Jane

February 6th 2026

Park Prison and learning about criminal justice in Wales

The Equality and Social Justice Committee considered evidence by Dr. Rob Jones in relation the criminal justice system at its meeting on 15 December 2025 and in a subsequent exchange of correspondence.¹ He presented a briefing focusing on [The Expansion of HMP Parc: Wales' \(Growing\) Imprisonment Rate](#) and highlighted serious safety concerns for prisoners and staff.

We would appreciate if you could:

- review the briefing and provide your response to the concerns raised including what steps the Welsh Government will take; and
- outline the Welsh Government's position on the expansion of HMP Parc.

We have previously noted the limited capacity and funding for research on criminal justice in Wales and reiterate our call for the establishment of a Welsh criminal justice observatory to improve our understanding of the criminal justice system.

Recommendation 10 of our report on the implementation of the Anti-Racist Wales Action Plan in 2024² was accepted in principle. We would appreciate an update on the progress made by Welsh Government in collaboration with academia to date.

We look forward to receiving your response by 6 March.

¹ See [papers to note 4.5](#) of the meeting on 19 January 2026

² ESJ Committee, [Action, not words: Towards and anti-racist Wales by 2030](#), March 2024

Yours Sincerely,

A handwritten signature in black ink, reading "Jenny Rathbone". The signature is written in a cursive style with a large, prominent initial 'J'.

Jenny Rathbone AS

Cadeirydd y Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol
Chair, Equality and Social Justice Committee

Ein cyf/Our ref:KS/PO/127/2026

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CC: John Griffiths MS
Chair – Local Government and Housing committee

9 March 2026

Dear Jenny,

Thank you for your letter of 26 February regarding the Legislative Consent Memorandum (LCM) on the Armed Forces Bill. I am grateful for the Committee's work on this issue as we seek to embed further our support for the Armed Forces community in Wales. As Minister responsible for the Bill within Welsh Government, I am responding to you and this response has been developed with my colleagues Jayne Bryant, Cabinet Secretary for Housing and Local Government and Rebecca Evans, Cabinet Secretary for Economy, Energy and Planning.

I will address the three questions you raised in order below:

1. What discussions has Welsh Government had with the UK Government about providing funding to meet the cost of implementing the Bill?

The funding implications of the Armed Forces Bill 2026 Bill, particularly in relation to Clause 2 (Armed Forces Covenant), have been discussed regularly with UK Government during development of the Bill. On 27 January, I wrote to Minister for the Armed Forces, Al Carns MP, referencing the current position of UK Government that no additional resource is being provided to support public bodies with implementation of the Armed Forces Covenant legal duty of due regard. This was also the UK Government position with the Armed Forces Bill 2021 which first introduced the due regard duty in the areas of health, education and housing for local authorities, local health boards and schools in Wales.

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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.

We will continue to engage with UK Government regarding the resource implications of the Bill and monitor and assess these implications with partners in Wales as the Bill develops.

2. What are the views of Welsh Government in relation to Clause 3 and does Welsh Government have any concerns about the potential use of compulsory purchase powers in Wales by the Defence Housing Service (DHS)?

The Welsh Ministers would not have a role in relation to compulsory purchase in Wales which relates to a reserved matter. The proposed functions of the DHS set out in the proposed section 343E within Clause 3 involve the supply and management of housing for defence personnel and their families, which we consider to be reserved. What is a concern is the ancillary functions to dispose of, regenerate or otherwise generate profit from former defence land. Such DHS projects may run counter to established Welsh Government or local authority place making strategies. The lack of role for the Welsh Ministers in confirming compulsory purchase orders that deliver such DHS projects would be one less opportunity to prevent damage to those placemaking strategies, put in place by Welsh bodies.

Despite the above concern, I am reassured that any development brought forward by the DHS would be subject to planning permission. This would need to be sought from planning authorities or on appeal from the Welsh Ministers in the normal way. In order to secure planning permission, DHS would have to engage in the preparation of development plans like any other developer (including the Welsh Government when acting as a developer). The plan preparation process would mean DHS proposals would be aligned with or incorporated within the development plan prepared by public bodies in Wales.

3. Has Welsh Government sought clarification on how the DHS will be expected to work with Welsh Government and local authorities in Wales?

As development undertaken by the DHS will require planning permission, it is expected that DHS will interact with the Welsh Government and local authorities in the same way as any other land developer. While reassurance has not been sought on detailed working arrangements, officials did seek clarification that the DHS would not be given powers within the planning system. Confirmation was provided by UK Government officials that DHS would need to obtain planning permission in the usual way. We will continue to engage with MOD and the DHS (once established) to ensure we have clear ways of working.

Yours sincerely,



Ken Skates AS/MS

Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru
Cabinet Secretary for Transport and North Wales

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Ken Skates, MS, Cabinet Secretary for Transport and North Wales

Jayne Bryant, MS Cabinet Secretary for Housing and Local Government

26 February 2026

Dear Jayne and Ken,

The Armed Forces Bill

The [Equality and Social Justice Committee](#) met on 23 February 2026 to consider the Legislative Consent Memorandum relating to the [Armed Forces Bill](#).

Members raised a number of questions and would like to know:

- What discussions has Welsh Government had with the UK Government about providing funding to meet the cost of implementing the Bill;
- What are the views of Welsh Government in relation to Clause 3 and does Welsh Government have any concerns about the potential use of compulsory purchase powers in Wales by the Defence Housing Service (DHS); and
- Has Welsh Government sought clarification on how the DHS will be expected to work with Welsh Government and local authorities in Wales.

Given the strict and fast approaching reporting deadlines in this case, we look forward to hearing from you and would appreciate if you could provide a response by 9 March 2026.

This letter is being shared with the Local Government and Housing Committee.

Yours sincerely,



Jenny Rathbone MS

Chair, Equality and Social Justice Committee

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LEGISLATIVE CONSENT MEMORANDUM

ARMED FORCES BILL 2026

1. This legislative consent memorandum is laid under Standing Order (“SO”) 29.2. SO29 prescribes that a legislative consent memorandum must be laid, and a legislative consent motion may be tabled, before Senedd Cymru¹ if a UK Parliamentary Bill makes provision in relation to Wales that has regards to devolved matters.
2. The Armed Forces Bill (“the Bill”) was introduced in the House of Commons on 15 January 2026. The Bill can be found at: [Armed Forces Bill](#)

Policy Objective(s)

3. The UK Government’s stated policy objectives are:
 - To renew the Armed Forces Act 2006 and so continue in force primary legislation governing the Armed Forces
 - to put the Armed Forces Covenant fully into law
 - to establish the Defence Housing Service to improve the availability and quality of defence housing
 - to make provision about service in the Reserve Forces and expand the pool of Reserves
 - to make provision about the Service Justice System
 - to make provision about visiting forces
 - to make provision about the defence functions of the Oil and Pipelines Agency
 - to make provision about the protection of military remains.

Summary of the Bill

4. The Bill is sponsored by the Ministry of Defence (MOD).
5. The key provisions of the Bill cover:
 - Renewing the Armed Forces Act 2006 for a further five years (until 2031)
 - Expanding the Armed Forces Covenant legal duty of due regard to UK and Devolved Governments
 - Creation of a new Defence Housing Service to improve quality and supply of defence housing

¹ Please note in accordance with Welsh Government policy we refer to the legislature in Wales as “Senedd Cymru” on first use and “the Senedd” thereafter unless the context stipulates otherwise.

- Creation of a new authorisation regime for countering drone activity on the defence estate
- Protection from sexual and violent behaviour, stalking and harassment
- Support for victims of service offences
- Investigation, arrest and charging
- Duties and powers of commanding officers.
- Service courts
- Driving disqualification
- Rehabilitation of offenders
- Armed Forces Commissioner
- Reserve Forces
- Visiting forces
- Ministry of Defence Police
- There are a number of miscellaneous provisions such as creating legal powers to detain service persons overseas in cases of mental disorder and automatically designating all military shipwrecks as protected places.

In particular the Bill seeks to:

- Bring UK departments and Devolved Governments into the scope of the Covenant due regard duty, extending the existing duty that currently applies in Wales to local authorities, health and education bodies
- Extend the duty to additional policy areas (relevant matters) specifically: childcare, education and training, employment, health and social care, housing, social security benefits, personal taxation, criminal justice, transport, pensions, immigration and citizenship, and Armed Forces compensation
- Change the existing duty from applying to a number of 'specified matters' within a relevant function eg. 'Homelessness' within the Housing function, to a broader definition with no specified matters eg. 'relevant housing function'
- Make provision that when exercising the function, the assessment of disadvantage arising for service people from membership / former membership, of the armed forces is to be assessed by reference to others in comparable circumstances who are not service people. This will now be set out in primary legislation
- Amend the regulation making power of the SoS from the existing power to only allow addition of functions and persons or bodies, to allowing also the removal or modifying of matters and persons
- Establish a new body - the Defence Housing Service - as a key part of the Defence Housing Strategy 2025. Its role is to improve the availability and quality of defence housing, regenerate or develop land used for defence purposes, support the development of service communities, and promote their continued wellbeing.
- Give Defence personnel powers to use approved equipment to detect, prevent and defeat drone related offences at Defence sites.

- Modernise and improve victim support in the Service Justice System (SJS). Ensure the SJS is able to protect victims of the most serious offences from further harm: Improve the effectiveness/efficiency of the SJS.
- Align legislation on public protection for those sentenced to imprisonment by Service Courts for certain serious offences e.g. serious violent offences and coercive control, so they are subject to Multi-Agency Public Protection Arrangements in the same way as those in the civilian criminal justice system.
- Extend the remit of the Armed Forces Commissioner to cover the Royal Fleet Auxiliary
- Replace the Reserve Forces and Cadets Associations with a new national non-departmental public body that will take on its functions.
- Expand the pool of Reserves; Enable seamless transfer between regular and reserve forces; Give the Secretary of State power to authorise recall for warlike operations that are being prepared or conducted.
- Remove the Votes A reporting requirements to Parliament in respect of reserve forces and commitments.
- Enable the Ministry of Defence Police (MDP) to deal with offences that cross national borders.
- Enable service personnel (or civilian personnel subject to service discipline) to be detained when their mental health poses significant risk to themselves or others whilst deployed overseas.
- Amend the Oil and Pipelines Act 1985 to expand the energy sources and fuels in relation to which the Oil and Pipelines Agency may exercise its defence-related functions.

Engagement with the UK Government

6. My officials have had early, consistent and positive engagement with officials in the Ministry of Defence as the Bill has developed.
7. The UK Minister for Veterans and People wrote to the Cabinet Secretary for Transport and North Wales on 24 April 2025 outlining the UK proposals to extend the legal duty of due regard to UK departments, the Devolved Governments and public bodies already in scope of the current duty. A trilateral was also held with the Scottish Government Minister for Parliamentary Business and Veterans and UK Minister for Veterans and People where the proposals were discussed.
8. The Minister for the Armed Forces wrote to the First Minister on 6 January ahead of the Bill's introduction, and 21 January, outlining the UK Government's devolution analysis.

Provisions in the Bill for which consent is required

9. The Bill's provisions impose functions on several Devolved Welsh Authorities (Welsh Ministers, Welsh local authorities, education and health bodies) and/or has regard to devolved matters. The provisions

relate to the operation of Welsh public services and the matters that those public bodies should consider when exercising their functions (albeit some of these relate to reserved matters such as immigration, taxation and criminal justice).

10. The Senedd's consent is required for the provisions relating to the following clauses:

Clause 2 – Armed Forces Covenant

11. This clause extends the existing legal duty of due regard to Welsh Ministers who will be required to have due regard to the covenant principles when exercising public functions in relation to a specified matter. Local authorities, education bodies and health bodies in Wales are already subject to this duty in specified areas of health, housing and education. The specified matters subject to the extended duty include a number of devolved policy areas, for instance, transport. Guidance may be issued by the Secretary of State in relation to the covenant duty. The Secretary of State must consult the Welsh Ministers prior to issue of such guidance so far as it relates to devolved Welsh functions. The Secretary of State is given a regulation making power to amend the bodies and functions caught by the duty. Before doing so the Secretary of State must consult the Welsh Ministers, insofar that the regulations contain provisions that are within 'Welsh devolved competence'. The regulations are subject to the negative procedure. These provisions confer reserved functions on devolved Welsh authorities and the Welsh Ministers and therefore require an LCM.

Clause 3, Schedule 1 - Defence housing and other property

12. Clause 3 together with Schedule 1 establishes the Defence Housing Service ('DHS') to improve the supply and quality of defence housing and manage related properties. Its functions include improving defence housing and managing land used for defence purposes. The DHS can generate income from properties and must comply with agreements with the Secretary of State. Compulsory purchase powers are granted to acquire land for defence housing. The granting of compulsory purchase powers to the DHS requires an LCM as it is a function of the Welsh Ministers to enable bodies to compulsorily acquire land in the housing area.

Clause 9 – Assessment etc. of risks posed by certain offenders

13. This clause will align legislation on public protection for those sentenced to imprisonment by Service Courts for certain serious offences e.g. serious violent offences and coercive control, so they are subject to Multi-Agency Public Protection Arrangements (MAPPA) in the same way as those in the civilian criminal justice system. These provisions confer reserved functions on devolved Welsh authorities by virtue of the MAPPA requirements and therefore require an LCM.

Clause 10 – Victims of service offences

14. This clause provides for a Code of Practice to be issued by the Secretary of State for those providing support to victims of service offences. The Code of Practice relates to the service justice system which is a defence matter and reserved under Schedule 7A to the Government of Wales Act 2006. However, this could have impact on devolved authorities that are providing support. To the extent that this confers reserved functions on devolved Welsh authorities an LCM is required.

Clause 25 – Guidance of exercise of criminal jurisdiction

15. This clause creates a new statutory duty on the Secretary of State to issue guidance to providers of victim services in the service justice system regarding concurrent jurisdiction. The clause provides that *“any person who has functions of a public nature relating to victims of alleged conduct of the kind mentioned in subsection (1), or any aspect of the criminal justice system, must have regard to guidance under this section where— the person is exercising such a function, and the guidance is relevant to the exercise of that function.”* Such functions are likely to include devolved Welsh authorities meaning an LCM is required.

Clause 37, Schedule 6 – Reserve Forces and Cadets Association

16. This clause inserts a new section 111A into the Reserve Forces Act 1996 and abolishes the Associations established under section 110 of that Act. Section 111A creates a new body corporate, the Reserve Forces and Cadets Association. Schedule 6 sets out the detail of the new body. The legislation specified that the boards of the Associations established under section 110 of the Reserve Forces Act 1996 include representatives from local authorities. To the extent that this clause modifies functions of devolved Welsh authorities an LCM is required.

Clause 50 – Interpretation

17. To the extent that this clause contains provisions relevant to clauses identified as requiring an LCM it has regard to devolved matters.

Clause 52 – Extent in the United Kingdom

18. To the extent that this clause contains provisions relevant to clauses identified as requiring an LCM it has regard to devolved matters.

Clause 54 – Commencement and transitional provisions

19. To the extent that this clause contains provisions relevant to clauses identified as requiring an LCM it has regard to devolved matters.

UK Government view on the need for consent

20. The UK Government's devolution analysis concludes that consent is required for **Clause 2 – Armed Forces Covenant**. I agree with this assessment and given the extent that these provisions confer reserved functions on devolved Welsh authorities and the Welsh Ministers, an LCM is required.
21. The UK Government are not seeking an LCM on any other provision within the Bill. However, my view is that consent is also required in relation to clause 3, 9, 10, 25, 37, 50, 52, and 54, Schedule 1 and Schedule 6 for the reasons outlined above in paragraph 11 to 19.

Reasons for making these provisions for Wales in the Armed Forces Bill

22. Support for the UK Armed Forces Community involves both reserved and devolved areas. Welsh Government supports extension of the Armed Forces Covenant and strengthening support for the Armed Forces community. Welsh Government has been committed to the principles of the Armed Forces Covenant and has developed policies which are consistent with that commitment including:
 - Funding Armed Forces Liaison Officers (AFLOs), who support local authorities to uphold the principles of the Covenant;
 - Funding the Veterans NHS Wales mental health service for ex-Armed Forces personnel;
 - Delivering the Supporting Service Children in Education Cymru (SSCE) project, supporting Armed Forces children.
23. It is appropriate to use this UK Bill to make these provisions rather than utilising a Senedd Bill as they fall beyond the legislative competence of the Senedd. The provisions made in the Bill relate to the reserved matter of defence.
24. However, an LCM is nonetheless required as a number of provisions in the Bill confer, remove or modify functions of the Welsh Ministers and/or Devolved Welsh Authorities (DWAs) or otherwise have regard to devolved matters as detailed above.
25. I consider it to be in Wales' best interests for such provision to be included in this UK Bill. Inclusion will help ensure a level of consistency across the UK with regard to implementation of the Covenant and embedding the legal duty further, whilst still allowing devolved services and provision to implement additional policy to support the Armed Forces community.

Financial implications

26. The costs of implementation within Wales will need to be met from within existing budgets. There is no funding from UK Government to the Devolved Governments associated with this Bill and its implementation. This is similar to the 2022 Armed Forces Act which placed a duty of due regard on local authorities, local health boards and schools in Wales. UK Government in its Explanatory Memorandum identifies a potential implementation cost for UK Government Departments at somewhere between £307k and £1.5 million.

Conclusion

27. I support this Bill and would recommend the Senedd consents to its provisions. However, given the anticipated UK Parliamentary timetable of the Bill, it is likely that a legislative consent debate on this Bill would, based on our established approach on seeking to schedule such debates after the Committee Stage in the Second House, take place in the next Senedd Term.

Ken Skates MS
Cabinet Secretary for Transport and North Wales
27 January 2026

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

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