

Agenda – Equality and Social Justice Committee

Meeting Venue:

Committee Room 5

Meeting date: 30 January 2023

Meeting time: 14.30

For further information contact:

Rhys Morgan

Committee Clerk

0300 200 6565

SeneddEquality@senedd.wales

Private pre-meeting (14:00–14:30)

1 Introductions, apologies and substitutions

(14:30)

2 Debt and the impact of the rising cost of living: evidence session one

(14.30–16.00)

(Pages 1 – 30)

Peter Tutton, StepChange – Head of Policy, Research and Public Affairs

Luke Young, Citizen’s Advice – Assistant Director

Steffan Evans, Bevan Foundation – Policy and Research Officer

3 Papers to note

(16:00–16:05)

3.1 Correspondence between the Chair and the Minister for Education and Welsh Language regarding the spotlight inquiry into the experiences of young people with speech, language and communication needs in the criminal justice system

(Pages 31 – 34)

3.2 Correspondence between the Chair and the North Wales Police and Crime Commissioner regarding the North Wales Women Centre

(Pages 35 – 37)



- 3.3 Letter from the Minister for Social Justice regarding experiences of Women in the Criminal Justice System**
(Pages 38 – 48)
- 3.4 Correspondence between the Chair and Safer Wales regarding Women's experience in the Criminal Justice System**
(Pages 49 – 58)
- 3.5 Correspondence between the Chair and the Minister for Social Justice regarding racial disproportionality within the Welsh criminal justice system**
(Pages 59 – 64)
- 3.6 Correspondence between the Chair and the Minister for Social Justice regarding the Draft Budget 2023–2024**
(Pages 65 – 67)
- 3.7 Letter from the Deputy Minister for Social Partnership to the Chair regarding the Social Partnership and Public Procurement (Wales) Bill**
(Pages 68 – 70)
- 3.8 Letter from the Chair of the Legislation, Justice and Constitution Committee to the Deputy Minister for Social Partnership regarding the Social Partnership and Public Procurement (Wales) Bill**
(Pages 71 – 72)
- 3.9 Letter from the Minister for Social Justice to the Chair of the Legislation, Justice and Constitution Committee regarding Inter–Institutional Relations Agreement: Safety, Security and Migration Inter–ministerial Group**
(Page 73)
- 3.10 Letter from the Minister for Social Justice to the Future Generations Commissioner regarding the Welsh Government's response to the section 20 review by the Future Generations Commissioner for Wales**
(Pages 74 – 77)
- 4 Motion under SO17.42 (vi) and (ix) to exclude the public for the remainder of the meeting**

- 5 Debt and the impact of the rising cost of living: consideration of evidence**
(16.05–16.20)
- 6 Draft Budget 2023–24: consideration of draft report**
(16.20–16.40)
- 7 Letter from the Chair of the Public Accounts and Public Administration Committee regarding an Inquiry into Public Appointments: consideration of draft response**
(16:40–16:50) (Pages 78 – 82)
- 8 EU Settlement Scheme: monitoring report**
(16.50–17.00) (Pages 83 – 93)

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Citizens Advice Cymru Submission: Equalities and Social Justice Committee Debt and Cost of Living Inquiry

January 2023

Introduction

Citizens Advice in Wales is a network of 19 local offices, all individual charities, offering free, confidential advice online, over the phone and in person.

In 2022, local Citizens Advice offices across Wales helped 26,680 people with debt related issues. The most common types of debt being council tax arrears (23%), energy debt (21%), and rent arrears (18%).

As demonstrated during the pandemic, the impact changes in society have on people's lives is often directly reflected in our service. Over the last year Citizens Advice has experienced unwelcome, record-breaking demand for our services as people try and cope with the cost-of-living crisis. With food costs rising at an alarming rate and energy bills now double what they were a year ago, many people are fearful of what the next few months will bring. People struggling the most are not just having to choose whether to eat or heat their homes, many can't afford to do either.

Over the last year the number of people seeking help on energy debts has risen substantially. Since the summer it's overtaken council tax arrears to become our biggest debt-related issue. During 2022, we've also helped more people than ever access crisis support. This includes supporting nearly 18,000 people to access food bank vouchers, more than double the number in 2021.

Further insights on how the cost-of-living crisis is affecting people in Wales can be found in our latest [Wales Cost-of-living Dashboard](#).

Questions

The priorities that need to be reflected in the Welsh Government's Draft Budget 2023-24 relating to the rising cost of living, including preventing and relieving debt

We strongly welcome the Welsh Government's efforts to provide specific crisis support for households in Wales to help mitigate the impact of the rising cost of living. Maintaining the additional flexibilities for the Discretionary Assistance Fund (DAF) until the end of March 2023, the expansion of the current Wales Fuel Support Scheme (WFSS)

to more eligible households, and the funding for 'warm hubs' have all helped to provide vital support to many people when they need it the most.

We are however concerned about reduced support in Wales over the next financial year at a time of continued cost of living pressures. The Welsh Government has confirmed it has not budgeted for another round of the Wales Fuel Support Scheme in 2023-24. This additional money has undoubtedly helped keep some low income households out of crisis this year. Our evidence points to a widening gap in household budgets from April for those groups eligible for the WFSS - please see further details in our response to Question 2.

Preventing low income households from falling into unsustainable debt and crisis must be a government priority. The continued boost to DAF funding during 2023-24 is very welcome but this is support to help people with short term, emergency needs. While such emergency support is vital now, what's really called for is a proactive solution to get us out of the cycle of reactive crisis support.

Our recent [research](#) highlights the scale of the challenge in Wales, but also how increasing energy efficiency measures such as insulation will not only help keep homes warmer whilst using less energy to do so, but will also help prepare homes for the transition to low carbon heat.

Further investment in preventative measures, such as improved energy efficiency, should help to keep people from falling deeper into debt and hardship in the first place. In the absence of action on home energy efficiency at scale and at pace, it remains to be seen how the Welsh Government will invest in such prevention in its 2023-24 Budget.

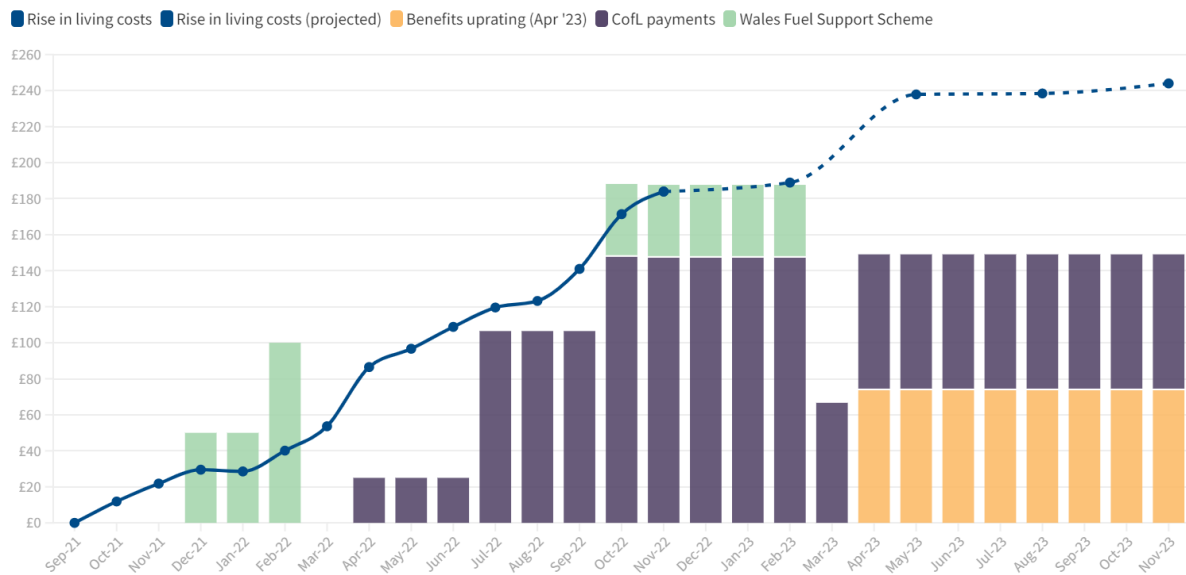
How effective Welsh and UK government support has been in supporting those most in need with cost of living pressures, and in preventing and managing debt

UK and Welsh government support, such as the Cost-of-Living Payments, the Energy Bill Support Scheme (EBSS) and the Wales Fuel Support Scheme (WFSS), has provided essential support to households in Wales over the last year. Uprating benefits in line with inflation from April is also a welcome and essential step in supporting low income households through the cost-of-living crisis.

Recent modelling by Citizens Advice¹, shown in Figure 1 below, demonstrates that in theory this support should have helped some people weather the storm, particularly over this winter. The difference the Wales Fuel Support Scheme has potentially made is also evident.

¹ Further details of the methodology can be found on slide 3 of our [Wales Cost-of-living Dashboard](#)

Figure 1: How support matches up with rising living costs



Our client data appears to reflect this theory. In recent months, when the latest cost-of-living support packages have been paid or implemented, we have seen corresponding decreases in people seeking crisis support and help with debt issues. Comparing October to November: food bank support was down 12%, energy debt advice down 17%, rent arrears advice down 15% and advice on council tax arrears down 7%. While there is likely to be a number of reasons for this, we saw similar dips in the summer immediately after people received cost-of-living payments, particularly in relation to demand for crisis support. However, this impact was only temporary and worrying trends soon returned. We will be monitoring the situation over the coming weeks to see if a similar pattern emerges.

Our modelling also shows that in spite of government intervention there have still been gaps in support during times when prices have continued to rise. This has potentially left many low income households, and other households struggling financially, at increased risk of falling into debt or deeper into debt. Even with the uprating of benefits we are particularly concerned about the potential ‘cliff edge’ from April this year when living costs are predicted to keep increasing and some existing support interventions are due to end.

This crisis is likely to continue for many months to come. While we fully understand the intense pressures the Welsh Government budget is under we are very concerned to learn there are currently no plans to continue with the WFSS next autumn/winter, with no apparent plans for additional crisis prevention.

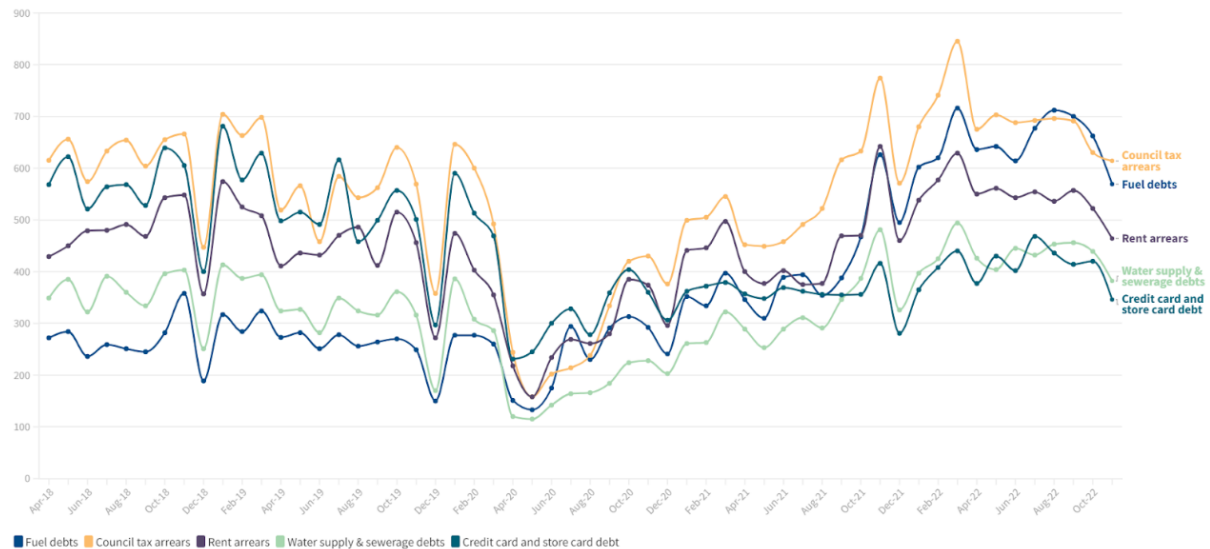
As referred to previously, the continued boost to DAF funding is very welcome, but uncertainty remains whether the current flexibilities will continue beyond March. Our

advisers are also reporting numerous cases where people in extreme financial hardship have been unable to access an Emergency Assistance Payment (EAP) as they have reached the annual limit for applications. We believe access to EAPs should be based on need, helping to alleviate severe hardship whatever people's circumstances.

The impact of inflation and cost of living pressures on take-up of debt advice services, and the implications for future demand and Welsh Government policy

Along with other debt advice charities the number of people who sought our help on debt issues dropped to a low point during the initial months of the pandemic, when various Covid-linked protections were in place and our services adapted to remote provision (online/over the telephone). However, since October 2021, as many of these protections came to an end (including the removal of the weekly £20 uplift to Universal Credit and Working Tax Credit), and when energy prices first started to rise substantially, we have seen a surge in people seeking support with debt issues, as shown in Figure 2 below. After peaking in March 2022 - when we helped more people in one month than at any time in at least 5 years - numbers seeking help on debt have largely plateaued or decreased but they remain high.

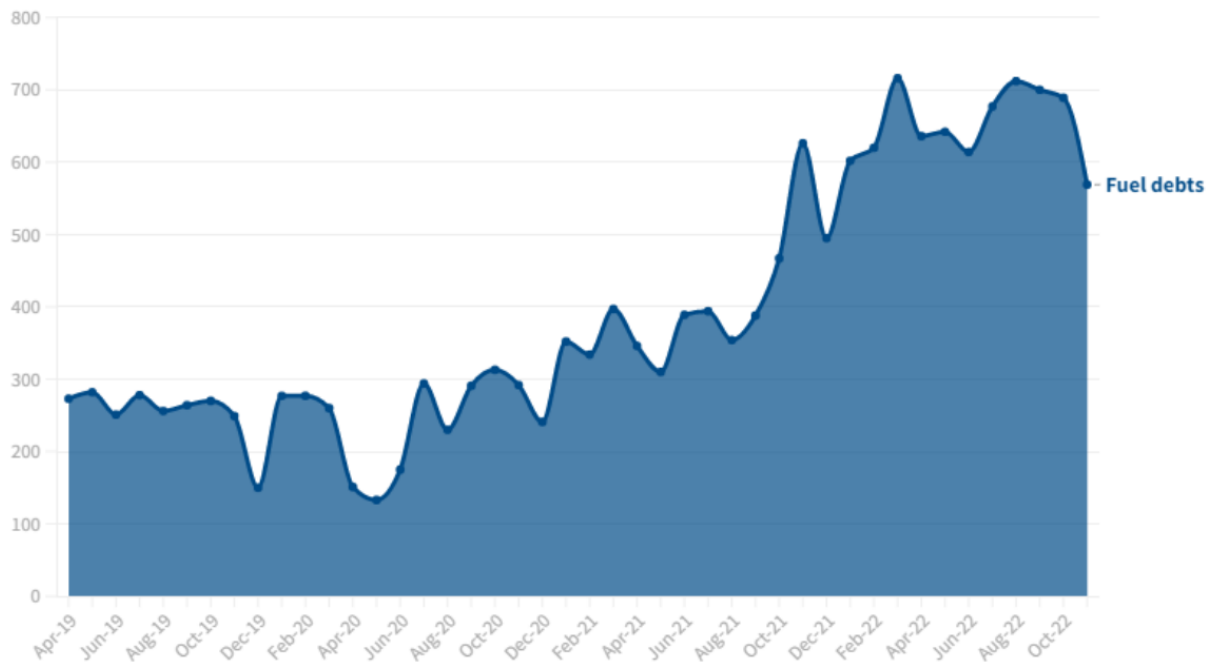
Figure 2: Number of people we've helped with debt advice (Wales)



Currently, the sharp increase in people seeking debt advice over the last year isn't being driven by more people borrowing and struggling to service consumer credit, but rather because more and more people are falling into arrears on essential household bills such as council tax, energy, and rent. Put simply, many people just haven't got enough income coming in to cover their ever-increasing essential living costs.

Unsurprisingly, the number of people we've helped with energy debts towards the end of 2021 and during 2022 has been substantially higher than previous years - see Figure 3 below. Even in the summer we continued to help record numbers. The amount of energy debt that people in Wales have has also increased by 38% compared to pre-pandemic. Last summer (the latest period for which data is available), households we helped with energy debt owed, on average, £1,433 to their energy supplier(s).

Figure 3: Number of people we've helped with advice on energy debt (Wales)



Council tax debt also continues to be one of the most common types of debt for which people seek our help. In spite of a number of Welsh Government interventions to improve council tax collections during the last Senedd term, our client evidence and recent qualitative [research](#) highlights how, rather than helping people get back on track with their bills, outdated regulations governing council tax debt collection, alongside budget pressures that drive in-year collections, mean many people face recovery methods that can worsen debt problems and exacerbate financial insecurity.

Most worryingly, almost half of our debt clients (48%)² are currently living on a negative budget, up from 36% in early 2019. This occurs when someone in debt has £0 or less after paying housing and other recurring bills, meaning there is no money left to make debt repayments. People are often left with no other option but to go without essentials. For example, cutting back on spending for food and utilities.

² Based on calculations for the period up to end of September 2022 (Wales only)

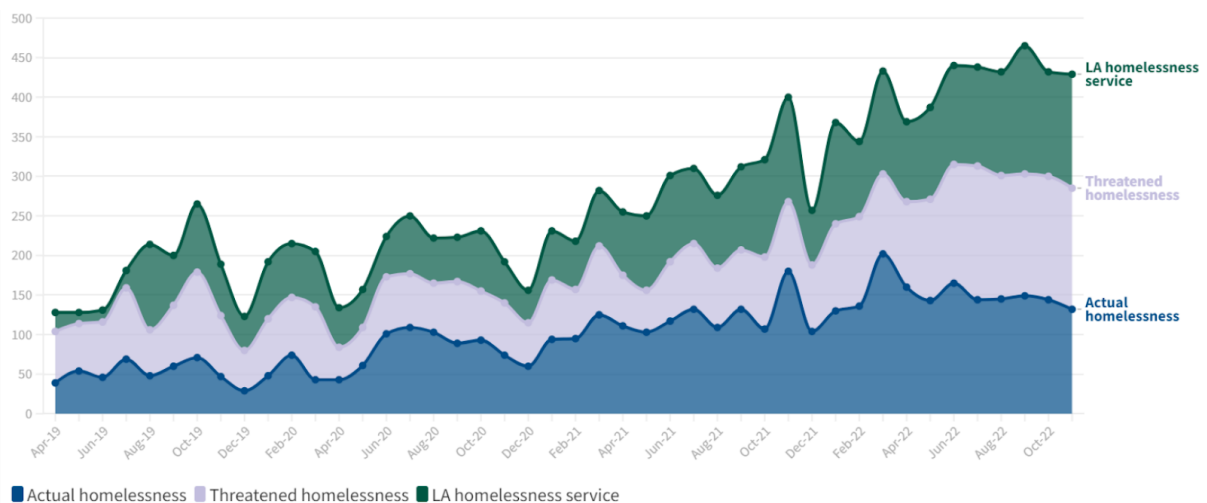
Our [data analysis](#) for England and Wales³ shows groups particularly affected include the unemployed, private sector tenants, disabled people, and those with long-term health conditions. But it's not just those reliant on benefits facing this situation. Increasing numbers of debt clients living on a negative budget are working, with significant rises amongst people who are self-employed (up over 20% since early 2019).

This makes it incredibly challenging for debt advisers as the usual tools and options for supporting people with problem debt are no longer viable. It also means people in this situation are even more vulnerable to severe hardship, threats of disconnection and eviction and deteriorating physical and mental health.

Recent feedback from our debt advisers is that individual client cases are becoming much more complex and as a result, more time consuming and resource intensive.

Another worrying trend is the increasing number of clients seeking help on homelessness issues.

Figure 4: Number of people we've helped with homelessness issues (Wales)



How different groups are experiencing cost of living pressures, and how this is impacting debt issues. How effectively are policy interventions addressing these challenges, and what changes may be needed to meet the needs of particular groups

We are seeing disproportionate demand for advice relating to cost-of-living issues from some groups. Amongst our client base certain groups are overrepresented, compared to the proportion in the population as a whole. For example, over half of all our clients report having a disability or long-term health condition (LTHC). However, even allowing

³ Based on calculations for the period up to end of March 2022 (England and Wales)

for this we're seeing groups such as single adult households (which includes single parents) and people reporting a disability or LTHC making up a higher proportion of the people who seek our help on essential bill debts and food bank/crisis support.

Our data also shows that this is a newer trend for some types of advice. For example, in 2019 only 38% of council tax arrears clients were disabled or had a LTHC, compared to 56% during 2022.

We'll be looking into our client profile data a lot more over the coming months to explore where people may be experiencing intersecting inequalities.

In addition, we are particularly concerned about the situation facing many Prepayment Meter (PPM) users. Bucking other very recent advice trends, in November we saw a record number of people seeking our help because they were unable to top up their PPM (up 15% compared to October), leaving them at risk of self-disconnection and going without energy to meet their essential needs.

In a recently commissioned survey of PPM users in Wales⁴ over 70% are worried about keeping their PPM topped up until April; while 59% of those who had been temporarily disconnected from their energy supplier during the last year because they ran out of credit, said the main reason for this was due to affordability issues.

With increasing numbers seeking our help we are worried some PPM users, especially those using traditional PPMs, may be struggling to access, or have low awareness of, available support from energy suppliers under the EBSS and elsewhere. We welcome the additional funding Welsh Government has given to the Fuel Bank Foundation to enable them to provide additional support to people in Wales who prepay for their energy or live off-grid. Between March 2022 (when we started recording) and the end of the year local Citizens Advice issued fuel vouchers to over 5,000 people in Wales to enable them to top-up their PPM, including 1,300 in December alone.

Worryingly during 2022 we have also seen three times as many people who have been moved onto a PPM (including having their smart meter switched to prepay mode) as a result of falling behind on energy bills, compared to 2019. In our recent survey⁵ 8% of respondents in Wales who don't use a PPM but do have a smart meter have been contacted by their energy supplier during the last year to say that as a result of debt on their account they will be switching their smart meter from credit to prepay mode.

⁴ Survey data based on a representative poll of 4,384 adults (18+) in the UK conducted by Yonder Data Solutions for Citizens Advice, with a boosted sample for Wales (724 adults). Fieldwork was conducted between 6th and 15th December 2022.

⁵ Ibid 4

Recommendations

Cost-of-living support packages, while needed and very welcome, are a 'sticking plaster' for a much bigger issue, namely that hundreds of thousands of people across Wales currently don't have enough money coming in to live on, compensating for an inadequate social security system, low wages and increasingly unaffordable essential services and household bills.

All of these issues need to be addressed in the medium to long term. We recognise that not all are within the powers of the Welsh Government. In the interim, **our key recommendations to this inquiry focus on areas where we believe the Welsh Government could and should act, as a minimum, over the coming months.**

To protect people in Wales who are most in need from the devastating impacts of this generational cost-of-living crisis we urge the Welsh Government to:

1. **Extend the current flexibilities within the DAF for another financial year and also expand eligibility** so that **everyone** in crisis is able to access a higher number of Emergency Assistance Payments, and to apply more frequently, not just those who meet certain criteria.
2. **Commit to uprating all Welsh Government funded benefits and entitlements in line with inflation** from April, including DAF payments.
3. **Work with local authorities and other housing providers to pause the use of enforcement action and evictions**, at least for the next 6 months, as they did during the early stages of the pandemic.
4. **Commit to a medium and long term plan** that demonstrates how it will reduce the need for food banks and warm hubs, and get people into warm homes.
5. **Ensure insulation and other fabric improvements become the cornerstone of the next iteration of the Warm Homes Programme** and that the scheme utilises all funding sources to maximise benefit to eligible households. If implementation of the new programme is delayed Welsh Government should take action to ensure that insulating measures are able to happen at the same time as boiler replacements.

For any queries relating to this response please contact Lindsey Kearton, Senior Policy Officer (email: Lindsey.Kearton@citizensadvice.org.uk).

StepChange note to the Welsh Parliament Equality and Social Justice Committee: Follow-up work on debt and the cost of living.

January 2023

StepChange Debt Charity London Office
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Policy contact: peter.tutton@stepchange.org

/ We want to create a society free from problem debt

Introduction

StepChange Debt Charity provides information, advice, support and debt solutions to people in Wales and across the UK.

Our client statistics for 2022 are being prepared, but in 2021 our website received 5.9 million visits; we were contacted by nearly half a million new clients seeking debt advice or guidance with their problem debt; and 171,000 new clients completed full debt advice. 5% of people receiving debt advice from StepChange in 2021 were resident in Wales (around 8,600 clients).

At the start of 2022, as domestic energy and general living costs were about to rise sharply, debt advice demand was already high, although not at pre-pandemic levels.

Our data tracking through 2022 gives an indication of how the rising cost of living has affected debt advice demand and the financial pressures that households are facing. In summary:

- Demand for StepChange's debt advice service has risen steadily through 2022, but we have not yet seen a sharp spike in demand (such as we saw following the 2008-09 recession with a lag).
- Over 2022 the proportion of people saying that the cost-of-living was the main reason for their debt problem has spiked markedly.
- The proportion of clients struggling with energy and some other household bills has grown significantly.
- We are seeing more people with deficit budgets even after debt advice, suggesting they will continue to struggle to make ends meet.
- However, we are also seeing more people in full time employment seeking debt advice, so people on higher incomes are being drawn into problem debt by cost-of-living increases.
- Policy initiatives to help households have been vital and will continue to be needed in 2023.

StepChange client data summary:

- Experiencing an 'increase in the cost of living' has been the most common reason for debt among StepChange clients each month since June 2022. The proportion of clients citing this has increased from 9% in January 2022 to 21% in November 2022. The proportion of clients resident in Wales giving the cost of living as the main reason for their debt problems is about the same as for UK clients.
- The proportion of clients with energy arrears has been increasing across 2022. As of November, around one third (32%) of all new clients were behind on their gas, electricity, or dual fuel bills, up from 29% in January 2022. The proportion of clients resident in Wales reporting domestic energy debt was about the same as for StepChange clients as a whole.
- The proportion of clients with energy debts has grown sharply over the past decade. In 2012, 11.5% of clients had electricity arrears and 11% gas arrears. This compares to 17% and 13% in 2021 and 27% and 24% in November 2022. The 2022 increases in domestic energy and

general living costs has produced a spike in domestic energy debt among Stepchange clients, but this builds on a longer trend of a growing number of people seeking help with payment difficulties on essential household bills.

- The proportion of clients with a deficit budget at the time of advice has increased over the course of the year from 29% in January to 33% in November 2022. This is important, as our research shows people with deficit budgets even after debt advice are more likely to continue falling behind on bills and use credit to pay for essentials or unexpected costs. People with deficit budgets report much lower wellbeing scores than the general population and other debt advice clients.
- Around 4 in 10 clients resident in Wales were in full time employment. This is about the same as for all Stepchange clients, where the proportion in full time employment has increased from 36% in 2020.

Who is seeking debt advice because of the increased cost of living

StepChange clients are disproportionately:

- Women (63% of Wales clients and all clients),
- Single parents (27% of Wales clients and 24% of all clients, compared to 6% of UK households)
- Single adult households (38% of Wales and 42% of all StepChange clients)
- Couples without children (22% Wales clients and 20% all StepChange clients) are **underrepresented** compared to the 35% proportion of the UK population in 2021.
- Renters – 31% of Wales clients are social tenants and 33% in the private rented sector.
- Aged between 25-59. Between January and November 2022, four in five (81%) Wales StepChange clients and all StepChange clients were aged between 25 and 59, compared to 58% of the UK adult population.
- Over half of StepChange clients reported additional vulnerabilities (such as mental or physical health problems or disability).

Some of these groups of StepChange clients were also more likely to say the increased cost of living was the main reason for their debt problem:

- 70% of women debt advised by StepChange and resident in Wales gave cost of living increases as the main reason for their debt problem
- As did 37% of social tenants and 35% private tenants.
- 41% of Wales clients in full time work
- 32% of Wales clients who were single parents.
- 26% of couples with children gave the cost of living as the reason for their debt problem compared to the 22% of all Wales clients who were couples with children.
- Wales clients giving the cost of living as the main reason for their debt problem was less likely to have credit debts than all StepChange clients resident in Wales. For instance 59% has one or more credit card debts compared to all StepChange client's resident in Wales.

- Wales clients giving the cost of living as the main cause of their debt problems were more likely to have electricity and gas bill arrears than all Wales clients, but less likely to have other priority debts like council tax or rent arrears. This suggests that the high energy costs are having a specific effect on household financial vulnerability suggesting the importance of targeted support. However, the high level of other priority debts among Wales clients, such as council tax (39% of all Wales clients), rent (20% of all Wales clients) points to a more general financial vulnerability separate from energy costs.

Feedback from StepChange front line advisers

StepChange advisers gave us a summary of some of the high-level issues and concerns they are hearing from debt advice clients they talk to:

- Stepchange advisers told us fuel and food are the biggest client concerns but council tax is not far behind. They felt more mortgage clients are now starting to struggle, particularly those on variable rates (though we are not yet seeing a significant increase in the number of homeowners with mortgages seeking debt advice from StepChange).
- Advisers said they are seeing an increase concerns from people who have never experienced financial difficulty before, including more full-time employed, and two-income families.
- Advisers said that the package of deficit budget advice we offer clients do not always help clients who have already had this advice elsewhere, but the options to improve incomes or reduce essential expenditure were not enough to address the deficit budget. While access to free high quality debt advice is necessary to support people in financial difficulty, it may not be sufficient to help the most financially vulnerable households to make ends meet without additional policy support from government.
- Clients are saying that seeking support from friends and family is harder than ever before because friends and family are all struggling too.
- Our advisers' feedback that the frequency and severity of client vulnerability is increasing. Several advisers highlighted talking to suicidal clients with one StepChange colleague talking to three clients with suicidal thoughts in one day. Advisers highlight talking to clients experiencing severe levels of stress and anxiety around the level and speed at which debts are appearing or increasing.
- The complexity of the client needs advisers are dealing with and the heightened vulnerability of people seeking debt advice now is illustrated by what advisers described as a vicious circle of mental health and debt advice needs. Advisers highlighted working with clients who had been referred from specialist mental health support organisations to us for help with debts. But some of these clients were too distressed to receive advice at that time, to the extent advisers needed to consider a referral out to a mental health support organisation. Breaking the entrenched link between poor mental health and problem debt will require broader public policy intervention.

General trends in financial vulnerability

StepChange commissioned general population polling in September 2022, which revealed 45% of all British adults – equivalent to 23 million people – were finding it difficult to keep up with household bills and credit commitments in the last few months, up from 30% in October 2021¹. Fresh polling conducted in January 2023 found that this figure remained at 43% for all UK adults. However 50% of respondents from Wales said they were finding it difficult to keep up with household bills and credit commitments. This was higher than the proportion of respondents in England (42%), Scotland (48%) and Northern Ireland (49%).

48% of respondents in Wales said they felt less financially secure than at the same time last year, which compared to England (47%), Scotland (46%), Northern Ireland (49%) and all UK respondents (47%)².

Direction of travel on policy support for financially vulnerable households.

Our current data does not allow us to evaluate the specific impact of policy initiatives by the Welsh Government or UK Government to support households with increased energy and other living costs. However, we can make the following observations:

- **Support for households matters:** Although we are seeing an increase in people seeking debt advice with energy debts and deficit budgets, without support the situation for households would undoubtedly have been worse. While we are seeing an increase in demand for our debt advice service, we are not seeing the sort of spike in demand associated with board shocks to household finances like we saw in the 2008-09 recession.
- **Targeting support for highly financially vulnerable households matters:** The specific debt-impact of the cost-of-living increase is being disproportionately experienced by some groups among debt advice clients. Equally our clients with deficit budgets after advice will continue to struggle to make ends meet and keep up with essential bills and are at risk of acute hardship without ongoing support with essential living costs.
- **A wider number of households are at risk of financial difficulty:** Our client data and UK population polling suggests a wider number of households are at risk of serious financial difficulties. StepChange research from January 2022 found over 4 million households experiencing financial difficulty using consumer credit borrowing to keep up with household bills and credit commitments. People using credit in this way were five times more likely to experience a negative impact of using credit on their health, relationships or ability to work than other credit users. Two-thirds (65%) of those using credit as a safety net had kept up with credit repayments by recently missing housing or utility bills, using more credit or cutting

¹ StepChange Debt Charity (September 2022) <https://www.stepchange.org/media-centre/press-releases/making-ends-meet.aspx>

² Figures are from polling by YouGov Plc commissioned by StepChange Debt Charity. Total sample size was 1,784 adults. Fieldwork was undertaken between 10th - 11th January 2023. The survey was carried out online. The figures have been weighted and are representative of all UK adults (aged 18+).

back to the point of hardship. This compares to one in ten (12%) among others who hold credit products. So there is a real danger that people who are dealing with cost-of-living pressures now by using credit will experience severe debt problems in the future and are experiencing other forms of harm and hardship now.

Following on from this we would ask the Equality and Social Justice Committee to consider:

- The ongoing need for additional support with energy bills for the most financially and otherwise vulnerable households.
- The ongoing need for support from discretionary assistance schemes is both for financially vulnerable households and adequate to ensure basic needs are met and hardship avoided.
- Forbearance and understanding from public sector creditors will be important, particularly in respect of debts like council tax where enforcement can be intrusive, costly and can make debt problems worse.
- Work to scale up alternatives to high-cost commercial credit will be needed to prevent more households turning to the harmful 'credit safety net'.



Jenny Rathbone MS
Chair of Equality and Social Justice Committee

Llywodraeth Cymru
Welsh Government

13 January 2023

Dear Jenny,

Thank you for your letter of 13 December in relation to the Equality and Social Justice Committee spotlight inquiry into the experiences of young people with speech, language and communication needs (SLCN) in the criminal justice system.

The ability to communicate is an essential life skill for all children and young people and early identification and intervention to support individuals with specific needs is essential. Prime responsibility for the provision of speech and language therapy services to children and young people rests with the health service. In education, local authorities and schools are responsible for providing suitable education provision for all children, including those with SLCN. Many local authorities in Wales have service level agreements with their health boards to provide speech and language therapy in schools.

The following table shows the numbers of learners with SLCN who have been permanently excluded from schools over the past 5 academic years (the only years with ALN Need data is available).

Year	2016/17	2017/18	2018/19	2019/20	2020/21
Number of pupils permanently excluded with statements for SLCN	6	9	10	8	not published

The data for the number of SLCN pupils permanently excluded in 2020/21 is not published because there were fewer than 5 pupils in this category. This is done to protect the confidentiality of personal data and limit the possibility of disclosure.

We are currently undertaking an extensive amount of work to support all children to remain in mainstream education and avoid exclusion. This includes, the new ALN system, which is currently being implementing on a phased basis, aims to improve the planning and delivery of additional learning provision (ALP) and ensure it is focused on individual needs. It puts the views, wishes and feelings of learners and their parents at the heart of the process to identify individual needs and determine ALP to meet those needs. It also strengthens the

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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.

legal responsibility on local health boards to meet the clinical needs of the child. This is intended to help ensure the needs of children, such as those with SLCN, are identified early and effective interventions are put in place.

To help develop the skills of the education workforce to operate the new ALN system, we have developed a professional learning offer for all teachers to promote person-centred practice and differentiated learning to close learning gaps and respond to needs of learners. This includes professional learning for Additional Learning Needs Co-ordinators (ALNCOs) to provide strategic leadership and act a first point of call for teachers seeking professional advice and guidance. We have also been working with the Third Sector Additional Needs Alliance (TSANA) to develop online learning modules to help teachers and schools develop their understanding of different types of ALN, including SLCN, and how to effectively support learners. We intend to publish these on Hwb in the next few months.

The Welsh Government has invested £35m core funding to date in preparing the infrastructure for ALN reform and increasing ALN provision.

In addition, we will be commissioning research into exclusions in January 2022, with the aim of understanding the support schools, learners and their partners need to avoid excluding learners from school.

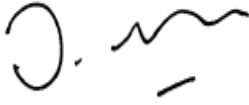
We also know that many children and young people within the criminal justice system have a higher incidence of poor emotional and mental wellbeing. In March 2021 we published statutory guidance for schools and local authorities intended to support the wellbeing needs of learners. The guidance recognises that some learners may need additional support at different times and more targeted early intervention to prevent negative experiences. School senior leadership teams should consider their learner and parent/carer population when developing their wellbeing strategies as part of the wider school improvement process, to make sure it accommodates the needs of any learners who are part of one or more vulnerable or historically marginalised groups. This includes children and young people who are engaged with the youth justice system.

The guidance goes on to state that when considering the needs of these learners, schools and service providers (such as youth offending teams, health services, specialist services and local authority children's services) need to develop positive working partnerships with the school to effectively support these vulnerable children and to build their resilience; take account of these learner's circumstances; and factor in flexibility and empathy to their response to their needs. This approach is further supported by the NEST/NYTH Framework, which complements our schools guidance. Developed by the NHS in Wales, NEST/NYTH is a planning tool for Regional Partnership Boards that aims to ensure a 'whole system' approach for developing mental health, well-being and support services for babies, children, young people, parents, carers and their wider families across Wales.

Supporting our wellbeing work with schools we have made available £12.2m in the current year with funding being used to extend and improve school and community-based counselling services; and establish CAMHS school in-reach provision (which sees dedicated mental health practitioners in schools providing consultation, liaison, advice and training) across all-Wales.

I trust that this information is helpful,

Yours sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of wavy lines and a short horizontal stroke at the end.

Jeremy Miles AS/MS

Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Jeremy Miles MS
Minister for Education

13 December 2022

Dear Jeremy

Inquiry on the experiences of young people with speech, language and communication needs in the criminal justice system

On Monday 5 December we held a spotlight inquiry on the experiences of young people with speech, language and communication needs (SLCN) in the criminal justice system.

We heard how school exclusions are detrimental to a child with SLCN, particularly as it removes them from a potential support network. Please could you confirm, out of the number of children excluded from school in Wales, how many have been identified as having SLCN?

I would be grateful if you could outline any discussions currently taking place to identify alternative options for exclusion, in order to deliver a trauma-informed, pupil centred approach, particularly for those with SLCN where school attendance can offer access to additional support networks. As the First Minister said in the Scrutiny of the FM Committee on 9 December, we need to spread the good practice going on in many schools.

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

Jenny Rathbone MS
Chair, Equality and Social Justice Committee

Ein Cyf/Our Ref: AD/SH/2267

By E-mail only - SeneddEquality@Senedd.Wales

16 January 2023

Dear Jenny

Many thanks for your letter dated 12th January 2023 sent on behalf of the Equality and Social Justice Committee.

It is important to clarify that funding was given for the delivery of the Women's Pathfinder programme. Your letter and recent media coverage on this subject would suggest that the funding was for the North Wales Women's Centre (NWWC). This is not the case. Let me assure Committee members that we remain as committed as ever to the Women's Pathfinder programme and to delivering effective outcomes and support for women within the justice system in North Wales. This commitment is set out clearly in the North Wales Women's Justice Strategy we published in September 2022. The overall aim of the new strategy is "supporting women to live crime-free, positive and healthy lives, improving well-being and making communities safer". The new direction will build on the Welsh Government Women's Justice Blueprint for Wales.

The contract with the NWWC was originally due to come to an end in September 2022. The decision was made to extend the contract to March 2023 and would not be renewed thereafter. The contract was extended in order to give the NWWC as much notice as possible. This was clearly communicated to the management and trustees at the earliest opportunity when my Chief Executive and Deputy PCC met with them at the centre in September. My office and I have remained in regular contact with them on this matter. Indeed, I personally attended their 21th anniversary celebrations recently and articulated the rationale for the decision taken.

Our steadfast commitment to supporting women in the Criminal Justice System will not change as the contract with the North Wales Women's Centre comes to an end. We always seek to support and commission the widest and most effective range of services possible using the funds available to us, even in difficult economic climates like the present. At times, this need to support a range of services may mean funding new and emerging organisations and reviewing the funding that goes to projects we have supported generously up to now.

This decision was not taken lightly, and a number of options were carefully considered, including entering into a new contract with the NWWC. However, whilst I recognise the important work done by the Centre, I have a wider responsibility to the communities of North Wales to ensure we secure maximum value for money from the services we commission. Based on the evidence available to me, it was our assessment that the Women's Pathfinder service could be delivered more effectively and efficiently via other means.

From April 2023 our internal diversionary programme, Checkpoint Cymru, will deliver the Women's Pathfinder service. Checkpoint has made great progress since its introduction in 2019, despite the impact of Covid-19, and I am confident that it will continue to deliver great support to both male and female offenders in North Wales. I would be happy to share further details on Checkpoint with the Committee if that would assist.

I do not envisage this to be the end of the relationship between the Office of the Police and Crime Commissioner and the NWWC and look forward to working with them where possible on other suitable projects that serve the women of North Wales in the future.

Yours sincerely



Andrew Dunbobbin
Police and Crime Commissioner

O 25 Mai 2018 ymlaen mae'r rheoliadau sy'n berthnasol i brosesu gwybodaeth personol wedi newid. Gelwir y rhain yn Rheoliadau Diogelu Data Cyffredinol (RhdDC). Darllenwch ein Polisi Preifatrwydd sy'n cynnwys gwybodaeth ar sut ydym yn prosesu'ch gwybodaeth personol ac "Eich Hawliau" o dan RhdDC.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg, a byddwn yn ateb gohebiaeth yn Gymraeg pe dymunir. Ni fydd gohebu yn Gymraeg gyda'r swyddfa yma yn arwain at oedi.

As from 25 May 2018 the regulations relating to processing personal information has changed. These are called General Data Protection Regulations (GDPR). Please read our Privacy Policy which contains information on how we process your personal information and "Your Rights" under GDPR.

We welcome receiving correspondence in Welsh, and will respond to correspondence in Welsh if desired. Corresponding in Welsh with this office will not lead to delay.

Andy Dunbobbin
North Wales Police and Crime Commissioner

12 January 2023

Dear Andy

The Equality and Social Justice Committee is currently undertaking an inquiry into women's experiences in the criminal justice system. Further details for the inquiry, including our terms of reference, can be found on the Committee's [website](#).

We understand that you have recently made the decision to withdraw funding for the North Wales Women's Centre in Rhyl. Given the established benefits of the Centre and its role in supporting women at risk of entering the criminal justice system, we would be grateful if you could set out the reasoning behind this decision.

As we are now in the reporting stage of our inquiry, we would be grateful to receive a response by 20 January 2023 if possible.

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

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

Agenda Item 3.3

JANE HUTT MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice



Llywodraeth Cymru
Welsh Government

Jenny Rathbone MS
Chair, Equality and Social Justice
Committee

19 January 2023

Dear Jenny,

I am writing further to my appearance before the Equality and Social Justice committee on 12 December. I want to thank you again for the diligent and dedicated way you are taking forward this inquiry, which will provide real insight into the experiences of Welsh women.

Following my appearance, you have written to myself, the Deputy Minister for Social Services and the Deputy Minister for Mental Health and Wellbeing to ask for clarification on a number of subjects. With thanks to my fellow Ministers and Blueprints partners for their contributions, I have provided responses to these queries below.

Outcomes from meeting with Rt Hon Damian Hinds MP

I met with the Rt Hon Damian Hinds MP, Minister of State at the Ministry of Justice (MOJ), on 13 December.

Minister Hinds was complimentary of the collaborative approach we have in Wales in delivering the Women's Justice Blueprints and recognised the complexities of working across devolved and non-devolved landscapes. I made clear also the established partnerships we have developed with third sector organisations such as The Nelson Trust, Llamau and Safer Wales and the vital role they play in delivering frontline support for women including through women's centres.

We spoke about the proposed Residential Women's Centre, and I reinforced the Welsh Government's commitment to its development. Minister Hinds was supportive of the plans to appeal against the planning committee's decision to reject the application.

The important work of women's centres, such as those run by the Nelson Trust and the North Wales Women's Centre in Rhyl, was discussed. Despite being predominantly MOJ funded, I highlighted the Welsh Government support for the centres, including recently providing capital funding for the Nelson Trust centre in Cardiff. Since my meeting with Minister Hinds, myself and the Deputy Minister for Mental Health and Wellbeing officially

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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.

opened the Cardiff Nelson Trust Women's Centre and it was good to see you also attending that excellent and very inspiring event.

I raised the challenges around funding for women's centres, notably the centre in Eastwood Park, of which continued funding was highlighted as an area of concern amongst committee members. In the meeting, MOJ officials committed to providing a full briefing on their plans for the centre beyond the current contract. Separately, my officials are also continuing to work with partners to explore future funding options for the North Wales Women's Centre.

We spoke about the experiences faced by women at HMP Eastwood Park and Styal, in particular, for those on short sentences who face severe disruption to their lives and challenges in resettling back into the community. This included discussion on some of the joint work we are doing to improve healthcare and resettlement outcomes, as outlined in my written evidence.

Minister Hinds recognised the issue facing women who were unable to access Buvidal when in custody in England, which is a consequence of differing provision across NHS Trust areas in England. Officials are taking forward work in this area to improve how pathways are operating, and I will continue to pursue this as part of my ongoing engagement with Minister Hinds.

Access to Cordis Bright Evaluation

Members asked whether the Cordis Bright review may be shared. I am pleased to be able to include as part of this letter the Summary Report for the Cordis Bright Evaluation of the Women's Pathfinder WSA and 18-25 Early Intervention Service for your information. I believe that Committee members will also have been sent this report by the Women's Justice Blueprint programme team.



Summary Report-
Women's Pathfinder \

Access to broader data on outcomes for women

On the availability of data concerning women in the justice system which demonstrates the impact the Blueprint is making; I can confirm that discussions are underway on this matter with Blueprints partners. I will follow up once I have further clarification. I am determined to ensure Committee members have access to this information as soon as possible, both because of the importance of access to transparent data, but also because there is an important story to tell about how the Blueprint is beginning to drive systemic change and improve outcomes for Welsh women.

Support for the children of mothers who receive prison sentences

Members recognised the lack of custodial facility for women in Wales and the challenges facing Welsh women imprisoned in England, away from their homes and families. My position remains clear that there is no role for a women's prison in Wales, but I am still determined to improve the experiences of Welsh mothers held in custody in England.

Establishing approaches that seek to improve opportunities for Welsh women in prison to maintain contact with their children is a key priority of the Blueprint. Welsh Government and HM Prison and Probation Service (HMPPS) jointly fund the innovative Pact Visiting Mum Service, to specifically support women from Wales who are serving prison sentences in

England to maintain contact with their children (where it is in the child's best interest to do so). The Pact Visiting Mum Service is live in both HMP Eastwood Park and HMP Styal.

Visiting Mum identifies women who are at risk of losing contact with their children and offers specialist support to preserve and strengthen family ties, recognising the importance of maintaining positive relationships between mothers in prison and their children. Mothers are invited to engage in parenting and relationships programmes and to receive support from the team, which may include assistance engaging with social workers and other services.

These relationships help aid women's rehabilitation, reduce anxiety in prison, reduce self-harm and contribute to good order and discipline in prison. These relationships also have a significant impact on the children's emotional wellbeing, their attainment at school and the risk of going on to become offenders themselves.

The service is designed to support Welsh women and their families by arranging visits, offering parenting and relationship programmes to women, offer transport to children, and provide 'wraparound care' for children after their visit. Volunteers, who are instrumental to the running of the service, also encourage families to engage with schools to support the wellbeing of children.

I can confirm that from July 2021 to the end of August 2022, the Pact Visiting Mum Service has supported 68 families and 130 children. I visited Eastwood Park on 19 January with the Counsel General to see first-hand the provision and the difference it is making for Welsh families.

How Welsh social services work with projects such as Visiting Mum to ensure all children have support to visit their mothers

The Social Services and Well-being (Wales) Act 2014, Part 6 Code of Practice (Looked After and Accommodated Children) is focussed on promoting family support and providing services that keep families together and preventing parent child separation where possible. The Code of Practice recognises that contact can be very important in helping children and young people develop their sense of identity and understand their lives and their sense of self.

Each Local Authority has a duty to endeavour to promote contact between the child and their parents. This contact can be supported through projects such as Visiting Mum.

Practice guidance available to Local Authorities and social services to ensure that children and women are reunited in a child-focused way

The Welsh Government's aim is to see fewer children and young people entering care, by providing the right support at the right time to families going through difficult times. The focus is on a child's wellbeing and keeping families together. This, coupled with the other commitments for children's services laid out in our current Programme for Government, provides a strong, complementary, and holistic approach to achieving our aim for children and families in Wales.

There is no specific practice guidance related to the reunification of children and women involved with the Criminal Justice System. Guidance is provided to Local Authorities through the Social Services and Well-being (Wales) Act 2014, Part 6 Code of Practice (Looked After and Accommodated Children). This Code of Practice includes principles that Local Authorities should work in partnership with the family and the child or young person to enable them to be reunited with the family where possible, provided that this is consistent with the individual child's well-being. The child's well-being is the paramount consideration

at all times and each child's views, wishes and needs for contact should be individually considered and regularly assessed.

The Welsh Government is also committed to the principles of the United Nations Convention on the Rights of the Child and believe that as a part of this all children and young people have the right to be listened to and be treated with respect. A key value underpinning policy in this area is to strengthen the voice and rights of children and their families.

An update on the Small Homes project, and in particular any plans to extend it to North Wales

The Deputy Minister for Social Services and I have agreed with the MOJ to work together to deliver an outcome that will see children in the welfare and justice systems in Wales fully co-located in the same building/site. This is being delivered through the Small Homes Project.

Our vision is to redesign how we look after children and young people so we can do the best for our young people, their families, and communities by providing services that are locally based, locally designed and locally accountable. Our view is that all children should be treated the same regardless of their pathway and that they should be accommodated in the same homes with the full sharing of services and facilities. This approach is in line with the ethos of the Blueprint and the commitment to a child-first, rights-based approach. The vision for the future is to move away from the existing provision towards small, regional homes which better meet the needs of Welsh children.

It was originally agreed that the Small Homes Project would be a joint project between Welsh Government and MOJ. Following discussions Welsh Government will now lead this work to provide more focussed leadership, but officials will still work closely with HMPPS and the Department for Education on this initiative. Over the next few months, officials reporting to the Deputy Minister for Social Services are aiming to establish a programme board with the Ministry of Justice and Department for Education to establish what a secure small home could look like in Wales with a view to building new provision during this Senedd term.

Discussions around the location of any small home have not been discussed at present, but this will need to be a key factor the programme board will need to consider as we progress with the project.

The level of support for women coming into the criminal justice system, whose main presenting factor is their drug addiction, and which organisation provides this service

The main substance misuse services within Wales for women entering the criminal justice system are commissioned by HM Prison and Probation Service (HMPPS). HMPPS is represented on all the Area Planning Boards (APBs) who are responsible for conducting needs assessments and the commissioning and monitoring of substance misuse services. Partnership working between the responsible authorities is key in delivering evidence based and strategic commissioning. Partners such as the Health Boards and HMPPS have an important role in working with APBs to commission and deliver these services and in working in partnership to deliver these services across Wales, which in several areas are jointly commissioned.

The Welsh Government has recently consulted on a Substance Misuse Treatment Framework (SMTF) for Prisons, and this includes actions to ensure continuity of care both at the start of a custodial sentence and on release, the SMTF specifically covers the needs

of women. Given that custodial sentences mean women will serve their sentences outside Wales we are aware of the challenges this presents. Work is currently underway to ensure women from Wales who are sentenced and are receiving injectable buprenorphine in the community in Wales are able to continue to do so during their sentence, as this treatment is not widely offered in the English system. In addition, we are working with HMPPS to put in place steps to ensure those women from Wales who wish to directly access residential treatment on release can do so.

We have also been able to support The Nelson Trust to establish a Womens centre in Cardiff, supporting women who are in contact with the criminal justice system and on release from custodial sentences. The centre offers a range of support including substance misuse services.

Residential rehabilitation and inpatient detoxification play an important role in helping service users secure their long-term recovery. The Welsh Government remains committed to ensuring that such services are available. As part of the budget for 2022-23 the Welsh Government increased its investment by £1m to £2m for ring-fenced funding for residential rehabilitation and inpatient detoxification from the Substance Misuse Action Fund to Area Planning Boards (APBs). Access to both residential and detoxification treatments, as well as community-based rehabilitation are available through our residential treatment framework 'Rehab Cymru' which provides over 30 approved settings in Wales and England, some of which offer medically managed detoxification services.

Residential rehabilitation and inpatient detoxification continue to play an important role in helping service users secure their long-term recovery and the Welsh Government remains committed to ensuring that such services are available on a long-term sustainable basis in Wales.

The Welsh Government is engaging stakeholders to update the Substance Misuse Delivery Plan and will be considering all options for better alignment with non-devolved criminal justice services.

Support available for the reintegration of women into the community once they have been released, and what follow-up takes place to ensure that their incarceration is not a repeat occurrence

Building on the existing written evidence I have provided to the Committee and the Cordis Bright evaluation included above, I have highlighted some of the key support available below.

HMPPS lead on resettlement planning and as part of this in 2021 it launched a new Commissioned Rehabilitation service for women, recognising the need for a distinct approach to supporting women supervised by Probation services and women in prison who are due to be released into the community on licence. This is a holistic service for women which addresses the following frequently occurring rehabilitative needs: accommodation, dependency and recovery, finance, benefits and debt and personal well-being. The interventions are tailored to reflect each woman's individual needs and circumstances.

These services are available for women on a Community/ Suspended Sentence Order with a Rehabilitation Activity Requirement or on Licence/Post-Sentence Supervision. The accommodation and social inclusion 'mentoring' service is also delivered pre-release for women who are due to be released on Licence.

The innovative Women's Pathfinder Whole System Approach (and 18-25 Early Intervention Service) currently delivered by Future 4, provides a service to knit around and complement

statutory provision (such as that provided under the above Commissioned Rehabilitation Service contract) for women. It is one example of how the Blueprint vision for delivering a whole system approach is being operationalised into practice in South Wales and Gwent.

The Service seeks to work seamlessly to support women at all stages of the criminal justice system (including key transition points such as release into the community following a period of incarceration) to support women to avoid further involvement in crime through providing consistency in support.

HMPPS has established six Women's Pathfinder Partnership Integration Coordinator Roles, aligned to the Probation Delivery Units in Wales to complement delivery of the Whole System Approach to supporting women across Wales. These roles support inter-agency connectivity and collaboration in relation to delivering support for women across Wales (including coordination of the Women's Pathfinder Multi-Agency Case Conferences) and in helping to unblock barriers to women accessing support.

Seven multi-Agency Women's Pathfinder Case Conferences have also been established across Wales. These Conferences provide a mechanism for partners to provide a solution focused, holistic approach to identifying, sequencing, coordinating and responding to the needs of women with complex needs and vulnerabilities. Women may be referred into case conferences at any stage in the system (including women being released from prison).

The Offender Personality Disorder Pathway (OPDP) is working with and supporting the transition of High Risk of Harm & Complex Needs Women that meet the OPDP criteria from HMP Eastwood Park into the community, specifically their access into health services.

Welsh Government continue to work closely with HMPPS in Wales on implementation of the Accommodation Pathway for Ex-Offenders, as well as supporting implementation of the Women's Blueprint. This includes the joint funding of a number of posts with HMPPS in Wales to support implementation of the Pathway and improve partnership working between homelessness and Probation services.

As part of the Ending Homelessness Action Plan and the Rapid Rehousing transformation, there are a range of activities being taken forward to support and improve the accommodation journey of women leaving custody. This includes revision of the current Pathway in light of recent service changes within the Probation service, as well as prioritising improved prevention services for people leaving custody to reduce the likelihood of homelessness on release in the first place.

No one should be forced to sleep rough in Wales and we have introduced secondary legislation to ensure the continuation of our 'no-one left out' approach ahead of wider legislative reform. This means anyone who presents as homeless who is street homeless is now identified in law as priority need for accommodation and should be entitled to access temporary accommodation.

Aimed at providing additional accommodation options for women leaving custody likely to be homeless on release, the rollout of CAS3 accommodation continues with 8 Local Authorities having now engaged with HMPPS. Welsh Government officials will be urging all Local Authorities to either continue or re-open their dialogue with HMPPS in order to access this additional funding from the UK Government.

There will always be more to do to improve outcomes for women and young people in contact with the justice system and we will continue to work in collaboration with our justice partners to progress this important agenda.

I will keep you informed of progress.

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 of "Jane".

Jane Hutt MS

Y Gweinidog Gwasanaethau Cymdeithasol
Minister for Social Justice

Jane Hutt MS
Minister for Social Justice

December 21st 2022

Dear Jane

Inquiry on women's experiences of the criminal justice system

Thank you for giving evidence on 12 December 2022 as part of our inquiry into the experiences of women in the criminal justice system.

Following our session, we would be grateful if you could provide the following:

- An update following your meeting with Damian Hinds MP, Minister of State for Prisons, Parole and Probation, and in particular any discussion relating to continuity of care with regard to treatment for substance misuse.
- Data which evidences the impact of the Blueprint (for example, sentencing outcomes for women both before and after the publication of the Blueprint).
- An update on whether the Cordis Bright evaluation summary can be made available to this Committee to further inform our report.

As we are now approaching the reporting stage of our inquiry, we would welcome a response by 9 January 2022.

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

Julie Morgan MS
Deputy Minister for Social Services

December 21 2022

Dear Julie

Inquiry on women's experiences of the criminal justice system

The Equality and Social Justice Committee has been carrying out an inquiry into the experiences of women in the criminal justice system. Our last evidence session on the inquiry was with the Minister for Social Justice on Monday 12 December 2022.

As we approach the final stages of our evidence gathering, we would be grateful if you could respond to the points below:

- What support is available for the reintegration of women into the community once they have been released, and what follow-up takes place to ensure that their incarceration is not a repeat occurrence?
- What support is available for the children of mothers who receive prison sentences?
- Can you set out how Welsh social services work with projects such as Visiting Mum to ensure all children have support to visit their mothers.
- What practice guidance is available to local authorities and social services to ensure that children and women are reunited in a child-focused way?
- Please provide an update on the small homes project, and in particular any plans to extend it to North Wales.

As we are now approaching the reporting stage of our inquiry, we would welcome a response by 9 January 2022.

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

Lynne Neagle MS
Deputy Minister for Mental Health and Wellbeing

December 21st 2022

Dear Lynne

Inquiry on women's experiences of the criminal justice system

The Equality and Social Justice Committee has been carrying out an inquiry into the experiences of women in the criminal justice system. Our last evidence session on the inquiry was with the Minister for Social Justice on Monday 12 December 2022.

Women entering the criminal justice system often have a background involving very complex issues, including substance misuse. The benefits of residential detoxification is well-known, assuming the individual is serving a long enough sentence. Please could you set out the level of support for women coming into criminal justice system, whose main presenting factor is their drug addiction, and which organisation provides this service.

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee



Equality and Social Justice Committee: Women’s Experiences in the Criminal Justice System

Response from Safer Wales

1. Safer Wales, is an award-winning community safety charity with over 20 years' experience delivering community safety services, including women’s, gender, and trauma-informed services, primarily in Wales. Across Safer Wales, our teams continue to engage people, working with them to improve their safety and well-being, as well as that of their families and communities. We provided direct support to approximately 2,000 people during the year, with approximately 85% being women and girls. In addition, 1000’s people have been able to access community radio, Radio Cardiff and connect to communities across Cardiff through music, discussion, news, and local events. We are service delivery focused and our experience enables us to engage women directly or to represent the views of women’s experiences for consultations, policy, media, research, victim, and survivor panels. We reduce women’s risk of entering and escalating through the CJS, as demonstrated through our services, particularly our Women’s Services for women involved in the CJS including:
 - a. Women’s Pathfinder Whole System Approach (WSA)
 - b. StreetLife: reaches, engages, and empowers women exploited through prostitution across South Wales and Gwent
 - c. Women’s Prison Independent Domestic Sexual Violence Advisor (IDSV) Service (VAWDASV) for women returning to Wales from HMP Eastwood Park and Styal, engaging women in custody and supporting through to the community
 - d. Castle House Women’s Centre (Cardiff City Centre) – trauma-informed, safe space, where probation staff holding female cases are co-located in Castle House Women’s Centre
 - e. One women’s Centre – part of a partnership, funded until May 2023, delivering a centre and support for women in HMP Eastwood Park through to their communities in Wales
 - f. Ethnically Diverse Specialist provision for women involved with the CJS
 - g. Voluntary Community Service, including volunteer mentoring

- h. Youth Services – Includes supporting and empowering young people, particularly girls, up to 25 years of age, at risk of involvement in the CJS, criminal, gang-related harm and sexual exploitation.
- 2. As a community safety charity, multi-agency partnership working is core to our values and approach to increasing community safety. We work in partnership with public, private and Third Sector agencies. This approach ensures the needs of the women we support are recognised and services are better equipped to respond. For example, in partnership with partners involved with the Women’s Justice Blueprint, we worked collaboratively to identify barriers and respond to specific needs of ethnically diverse women in or at risk of entering the criminal justice system. Our established partnerships with criminal justice statutory agencies and ethnically diverse-led community partners enabled us to develop a designated service to highlight issues impacting ethnically diverse women involved with the CJS, working towards enhancing responsive services in line with Wales CJS Race Equality commitments. We believe the recognition and support for local innovation will further inform development and delivery of effective services for women in Wales. It is important that the delivery of the Women’s Justice Blueprint incorporates a flexible approach, informed by local characteristics/need/communities, so fostering innovation, whilst simultaneously sustaining provision will be a challenge, particularly in this current economic climate.
- 3. Our way of working maintains and develops our already strong and robust partnerships, evidenced through our work with the Probation Service. Our strengthened operational partnerships and developing buy-in resulted in co-location of probation within Safer Wales Castle House Women’s Centre, which has been delivering women’s probation services through the centre, since 2015. Working together we developed a culture and model of delivery widely recognised as sector best practice across England & Wales , whilst continuing to improve sustainable services for women at our Women’s Centre. Women’s Centres, such as Safer Wales Castle House Women’s Centre provide safe spaces for women and vital access to wider statutory and voluntary services.
- 4. A Senior Probation Officer expressed some of the benefits of Safer Wales Castle House Women’s Centre *“The diversity and frequency of the activities at Safer Wales are really excellent...The activities on offer provide a safe and supportive environment for the women. They allow the women to take part in pro social activities, have emotional support and learn new skills. It also offers Probation staff a different means of engaging with the women ie on a holistic basis so we can talk to them in a “non offending” capacity... Myself and the Women’s Probation Team have been delighted to work alongside Safer Wales, as part of a ‘whole system approach’ to supporting women, and have seen first hand how much the women are enjoying being here and the positive contribution the service is making to supporting individual wellbeing and resilience building.”* This co-located approach is recognised within the Women’s Justice Blueprint and Safer Wales welcomes the increased number of women’s co-located provisions across Wales. To further realise the Blueprint’s ambition to support women to engage with services in the community and

for all women to benefit from such arrangements, we need further co-location arrangements for women's services across all geographical areas in Wales.

5. Safer Wales welcomes the Women's Justice Blueprint (Female Offending Blueprint). It establishes a unified vision for women's justice in Wales, demonstrates collective commitment and through the inclusion of key objectives and deliverables, it provides an accountable, multi-agency document.
6. It is worth noting that involvement of key partners and people with lived experience continually informs the work being delivered through the blueprint. This is notable through our delivery of WSA and Safer Wales work with ethnically diverse women involved with the criminal justice system, as well as multi-agency partner involvement with the workstreams across the blueprint. Another example is the recognition of the significant impact of stigma on women who have been or are involved in the criminal justice system and a move towards the use of less stigmatising language and a more strength-based approach. One example of how the impact of language reinforces stigma associated with involvement in criminal justice is the terms used to describe this work. The decision to move to Women's Justice Blueprint, rather than Female Offending Blueprint is a welcome one. However, stigma surrounding people who have been involved with the criminal justice system poses a significant and ongoing challenge, one which reduces women's access to services and increases barriers (personal and systemic) to positive progression. The Women's Justice Blueprint has started this journey and we are keen to see this develop further.
7. Significant challenges still exist, challenges driven across our public services, these significantly impact on women involved in the CJS and their families. Examples include: the availability of housing for people, particularly for women who present with many needs and vulnerabilities, including health, substance use and VAWDASV; current cost-of-living crisis, leading to increased pressures and vulnerabilities for many women. Many of these issues are devolved matters. One such example is the lack of appropriate accommodation, which impacts upon women serving community sentences, as well as those on release from prison. As a Welsh Women's Aid Member and provider of WSA services, Safer Wales experiences first-hand the difficulties for women involved in the CJS, who are fleeing VAWDASV, to access appropriate and safe accommodation. Barriers to appropriate accommodation, such as women's specific needs (eg substance use, mental health) and the stigma relating to women who have been involved with the CJS, reduce opportunities for women to live safer, healthier lives. The demand for housing in Wales is huge, however unsuitable accommodation for women when they are at their most vulnerable creates a toxic situation. The availability of appropriate accommodation, with

attached specialist services is essential. The Women's Justice Blueprint brings together key partners in Wales. With the support from Statutory partners and Welsh Government, it is essential that Local Authorities and Community Safety Partnerships have ownership and are equally committed to the delivery of the Blueprint to ensure support is appropriately targeted and supported.

8. The Women's Justice Blueprint ambition to reduce the number of women in the system, including reducing women's imprisonment will, if successful, have a positive impact upon such challenges referenced above. Activities and deliverables identified through the Blueprint has the potential to help ensure support is available and reduce women's escalation through the CJS. If the projected increase in prison population, predicted by UK Government is realised, then this is concerning. It is crucial that now, more than ever, a focus on ensuring that increased use of prison is not inevitable, that sentencers know what community options exist and what wrap-around services are available to women. Our experience tells us that community sentences are more effective than short term prison sentences for women; community sentences enable more robust and meaningful engagement for the women. The development of the Women's Residential Centre must be seen as an alternative to prison custody for women, who would otherwise have gone to prison: a diversion from prison. That women will remain local and access community provisions, keeping them connected to their communities.
9. In addition, the increased Police numbers could pose a challenge to our collective ambitions. It is vital that Wales continues to focus on reducing women's imprisonment, that newly recruited Police Officers are aware of this ambition, know and understand the disposal options available to them, particularly diversion and out-of-court disposals. Our experience of working with the Police through WSA and our other services in South Wales and Gwent have witnessed and contributed to a significant positive shift in culture and operational practices. The Police have recognised the benefits of services such as WSA and StreetLife in engaging and supporting women and helping reduce their involvement in CJS. This learning and culture need to continue.
10. Delivering justice for Wales requires an integrated approach. The strength of partnership working and focus on trying to knit together and align working, as demonstrated through the Women's Justice Blueprint is admirable and shows Wales determination to improve and vision to achieve justice in Wales. Welsh Government and CJS partners in Wales have a demonstrable track record in developing strong, aligned partnerships, as demonstrated through the development of the Women's Justice Blueprint and the Youth Justice Blueprint (including adopting and championing a Children First approach to Youth Justice). However, whilst we still have two separate governments responsible for

commissioning and delivery of justice services for Welsh people, genuinely integrated approaches remain dependent upon strong and robust relationships and partnership working. Ultimately, introducing significant elements of insecurity regarding medium and long-term strategic and financial planning, innovation, and delivery. In practical terms, this risks delays in confirming funding, which has implications for providers, who often carry the risk and for the women who are supported who rely on sustainable, suitable, safe services; increased demand on capacity (impacting on all sectors) to navigate the complex devolved and non-devolved matters and relationships required; complex and sometimes segregated funding opportunities which risk duplication, impede access for Welsh NGO's (particularly smaller NGO's) to participate, and risk introducing conflicting priorities or not maximising alignment with current Welsh direction.

11. For women involved in the criminal justice system, including women leaving prison, it is vital that trauma-informed support is available to all women in Wales at all stages of the CJS. A notable outcome identified through the Women's Justice Blueprint is the delivery of diversion schemes across Wales for women involved with the criminal justice system. There have been some areas of additional support for women who are not diverted, however delivering a more comprehensive WSA model such as that in South Wales and Gwent, beyond South Wales and Gwent would benefit all women in Wales.
12. Safer Wales has been invited to set out our experiences of delivering the Women's Pathfinder Whole System Approach. We hope the panel finds the information relating to our additional experiences of delivering the Women's Pathfinder Whole System Approach (WSA) below informative and useful. The earlier we engage women, the better and services such as the Women's Pathfinder Whole System Approach, including 18-25 Early Intervention Services (WSA) delivered by Future 4 (through Safer Wales, G4S, Llamau and INCLUDE) in South Wales and Gwent does this.
13. As a member of Future 4 and responsible for the delivery of WSA (since it being commissioned in 2019), Safer Wales has had very positive experiences of partnership working with all partners, including our statutory partners. Safer Wales believes this is underpinned by the aligned vision and purpose for the delivery of the work. We all wish to reduce the number of women entering and escalating through the criminal justice system. Prior to WSA, Safer Wales was involved in the development of the Women's Pathfinder, including delivery of the Cym Taf CJS Diversionary pilot for women. One of the challenges that we encountered from partner agencies was "why women?" It has therefore, been vital to engage our partners and create buy-in, particularly from people serving on the frontline, eg the Police. Through the development and delivery of this work we have witnessed culture change, proactive approaches, and increased use of

professional judgement to aid women's access to our services, particularly WSA, but also broader Safer Wales provision. This is a significant shift and the aligned vision established through the Women's Justice Blueprint, alongside direct partner interaction, has facilitated this.

14. In the last 2 years, WSA in South Wales and Gwent, has supported over 2,000 women who have been involved in the CJS. Through robust partnership links, we have received referrals from a wide variety of agencies, including Police, Probation Services, Substance Use Services, Local Authorities and Third Sector organisations. WSA offers gender-specific support to women at any stage within the Criminal Justice System and engages women at the earliest opportunity:

- Women at risk of involvement with the criminal justice system
- Diverting women who have been arrested from escalating further through the CJS
- Women who have been charged and going through the Court process
- Women who have been sentenced – community or prison sentence
- Women who have completed their statutory orders, but still require some support.

15. Understanding the distinct needs and vulnerabilities of women involved in the CJS, we work closely with community partners including VAWDASV services, mental health, Housing and Social Services to ensure tailored support is offered including supporting women to meetings and appointments with new services.

16. Research has shown that Women who have offended are more likely to have a mental health need than men who have offended. The prevalence of mental health issues in the justice system are high, HM Chief Inspector of Prisons Annual Report (2020) noted that 71% women in prison reported mental health issues, compared to 47% of men. Our team will work with mental health providers, social services and other key partners to enable the women to access the support they need. A woman who had received WSA support messaged her caseworker, saying: *"I hope u now that I am so thank full for everything you have done to help me I don't no who I'd be today if I didn't meet u I was heading down the wrong road i was on the egde of loosing my little boy I was unwell and so lost I couldn't understand what was happening to me I would of rathered of been dead and that's the truth u saved me and listened to me u didn't judge me for my mistakes and u gave the the best advise I can never thank you enough u don't get enough credit for all the work that u do to help me but I hope u no that I so thankful and il never forget xx"*

17. WSA work with partners to safeguard women including accessing refuge, crisis team, drug and alcohol services. We have qualified IDVA's on our team, attend local MARACS, support women at Child in Need meetings and work alongside Social Services to support women in accessing the support needed. A woman who disclosed significant domestic

abuse, substance use and financial needs benefitted from WSA support and our work with local partners and multi-agency information sharing arrangement, resulting in increased safety, reduced substance use and improved finances messaged stating *“Thank you (caseworker) for everything you have done for me and without your amazing and constant support, I would not be where I am now! I promise to keep in touch and moving forwards, I thank you again from my heart”*. This demonstrates the impact of the Women’s Justice Blueprint ambition to work collaboratively with partners to offer targeted, person-centred support.

18. Our teams are co-located in Custody Suites across South Wales and Gwent and work closely with police to ensure support is offered at the earliest opportunity, as well as working directly with women in the community setting. Women can access our WSA and Safer Wales services as part of an out-of-court disposal, including diversion from CJS Women are supported at all stages of the criminal justice process and beyond completion of statutory licence.
19. Our experience of delivering WSA has been one of collaboration and drive to innovate and improve services. Throughout the delivery of this service, we have met regularly with operational partners and discussed ways of improving women’s access to WSA. Examples include: Joint training to partner agencies, such as the Police, Magistrates/Court Service; development of pilot work such as pre-sentence courts; identify and respond to gaps, for example development of the provision for ethnically diverse women in the CJS.
20. Independent evaluation of the service, undertaken by Corbis Brite has found that women made positive progress through their support with WSA. Support is having a statistically significant positive impact on women’s outcomes in a range of areas, such as: Health & wellbeing; Life skills; Healthy relationships; Employment; Accommodation; Financial
21. These innovations, contributing to the ambitions of the Women’s Justice Blueprint have been developed through the WSA journey, with our partners and maximising the benefits that our Future 4 organisations bring, for example our Women’s centres, through INCLUDE and Safer Wales, our IDVA and specialist sexual violence support, including Safer Wales Prison IDVA service, supporting women experiencing VAWDASV and StreetLife provision, which provides services for women exploited through prostitution. All contribute to the continual development of delivery surrounding the blueprint.
22. The following case study demonstrates the complexity of need many of the women face, but also the strengths they have to improve their lives when appropriate multi-agency support is available.

Kath (not her real name), was referred to WSA from probation, had been recalled to Prison for Theft. Kath had an extensive history of offending and entrenched illicit substance misuse addiction. She is well known to services in the area and has been sentenced to custody several times. Kath has had her children removed by social services in the past, due to her chaotic lifestyle and has found it difficult to engage with services, due to how she feels she has been judged in the past.

Kath had multiple needs, which included needing support to: Gain stable housing; Access to an opiate substitute prescription and support around other substance misuse; reduce built up rent arrears & debt; help with benefit claims; to safeguard Kath from exploitation through prostitution; to work through trauma from historic domestic abuse and to link with social services to gain contact with her children.

It was difficult to build a relationship with Kath due to her distrust in services. However, Kath had established a good relationship with her probation officer. To develop a trusting relationship with Kath, WSA initially worked alongside the probation officer. This joint approach worked and WSA was able to engage with Kath independently and beyond her statutory licence with probation. This included supporting her throughout the pandemic, assisting with food parcel deliveries and emotional support: vital for her well-being and throughout this working with her, where she could review her priorities and refocus on where to go next. A lot of direct support was provided through WSA, helping Kath to trust other services. Some of Kath's achievements were:

- Successfully completing her probation period, in the community
- Remaining on her Bupropion prescription and continuing to engage in appointments with services.
- Gaining supported housing (as she was now managing payment plans for her rent arrears)
- Kath transitioned out of supported housing and is now in permanent accommodation
- Through encouragement and support, Kath developed a relationship with social services and now has regular contact with her children

Kath no longer needs support from WSA, although she knows she can contact us if she ever does. She has reported feeling that she was doing really well, felt safe and had built up her own skills and able to manage without the support.

23. Safer Wales recognises that together, we have travelled (and continue to travel) a significant journey here in Wales and the Women's Justice Blueprint continues to provide a focus and recognition of the needs of women in contact with the criminal justice system.

There is still much work to be done and we look forward to a continued collaborative approach to realising the Women's Justice Blueprint ambition. It is vital that we collectively continue to reduce gender-based inequalities in the system, reduce the number of women escalating through the criminal justice system and crucially working toward safer communities.

Bernie Bowen-Thomson
Chief Executive
Safer Wales

18 November 2022

Dear Bernie

Women's experiences in the criminal justice system

As you may be aware, the Equality and Social Justice Committee is currently looking at women's experiences in the criminal justice system.

Evidence from Deputy Police and Crime Commissioner (DPCC) for South Wales Emma Wools notes Safer Wales' involvement in delivery of the Women's Pathfinder Whole System Approach as a member of Future 4. We would be grateful if you could set out your experiences of this work, including any particular challenges and examples of best practice.

We would also welcome any additional comments you may wish to make in relation to our terms of reference, as set out on our website.

We would be grateful to receive any contribution before 30 November 2022 if possible.

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

Jenny Rathbone MS
Chair, Equality and Social Justice
Committee

19 January 2023

Dear Jenny,

I am writing further to your letter of 21 December 2022. I want to thank you again for your diligent and dedicated work on the experiences of Welsh people in the criminal justice system.

You have written to ask for clarification on a number of issues concerning racial disproportionality within the Welsh criminal justice system. Please find my responses to your questions below.

Work being undertaken by the Welsh Government to tackle racial disproportionality within the Welsh criminal justice system, and raising racial disproportionality with the UK Government

I fully acknowledge that there is a history of racial inequality in the Criminal Justice System and I share the Committee's concerns about this.

The [Criminal Justice Anti-Racism Action Plan for Wales](#) was published in September 2022 and is aligned with Welsh Government's [Anti-racist Wales Action Plan](#). It is jointly led and owned by members of the Criminal Justice Board for Wales, including Welsh Government. The Plan sets out the concrete and tangible action Board partners will take forward together to tackle inequality and to create an anti-racist criminal justice system.

The plan was co-produced with ethnic minority people across Wales, including those with lived experience of the criminal justice system. This has been helpful in ensuring ethnic minority needs and experiences are reflected in the plan. The plan contains seven overarching commitments to tackle disproportionate outcomes and to realise an anti-racist criminal justice system in Wales. This includes specific commitments on staffing, leadership, and mentoring, recognising that we cannot tackle embedded racism without making the staff base more representative and diverse.

I know justice colleagues share my ambition that the Plan should drive system change and ultimately improve outcomes for ethnic minority people in Wales. There is a strong focus on how the plan will be implemented to ensure real change happens across all parts of the

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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.

Criminal Justice System. I will be keeping a close eye on implementation of the plan and progress made. We are at the start of a collective journey, and it is vital for us to deliver change in practice and avoid the 'implementation gap'.

The Criminal Justice Board for Wales has set up a Race Taskforce to oversee the implementation, management, and delivery of the Criminal Justice Anti-Racism Action plan. This Board is jointly chaired by Gwent Chief Constable Pam Kelly, South Wales Deputy Police and Crime Commissioner Emma Wools and Executive Director for HM Prison and Probation Service in Wales Chris Jennings.

Additionally, an Independent Oversight and Advisory Panel has been established to provide challenge, advice, and independent oversight against the Plan. The Panel is made up of a diverse range of people with lived experience and expertise relating to racism and social injustice. An annual report will be published against the Plan and I'm sure this will also be helpful in monitoring progress each justice partner is making towards these commitments.

Going beyond the work of the Criminal Justice Board for Wales, the Criminal Justice chapter of An Anti-racist Wales Action Plan sets out the further action we are taking to tackle racism in the criminal justice sector, using the levers specifically at the disposal of the Welsh Government. This includes:

- Eliminating hateful attitudes and supporting victims of racially motivated hate crime.
- Pursuing the case for the devolution of justice and policing to Wales.
- Developing our skills and confidence in understanding what an anti-racist justice system looks like.
- Under the Women's Justice Blueprint, taking forward involvement work with women from racially and ethnically diverse backgrounds to better understand their experiences of the Criminal Justice System.

The chapter includes a specific commitment to take every action possible to highlight the needs and experiences of people from ethnic minorities, and the understanding and importance of an anti-racist approach, through our response to UK Government policy and legislation in the justice space. We will report on these actions through the main Anti-racist Wales Action Plan reporting processes to ensure there is full accountability.

In October 2022 I wrote to the Rt Hon Jeremy Quin MP, in his capacity as the UK Government Minister for Policing and Crime in response to the Home Office White Paper 'Swift, Certain, Tough: New consequences for drug possession'. My response highlighted the potential for the approach set out in the White Paper to disproportionately impact vulnerable individuals, such as Black, Asian and Minority Ethnic people. The Commission on Race and Ethnic Disparities (2021) found that adult Black men are 5.4 times more likely than white men to be arrested for drug offences, and Asian men are approximately 1.4 times more likely. This reflects the wider embedded racism in the justice system, which we have a collective duty to address.

I also wrote to the Rt Hon Dominic Raab MP, Deputy Prime Minister Lord Chancellor & Secretary of State for Justice, in February 2022, to outline the Welsh Government's position in response to the UK Government's consultation to inform development of the Victims' Bill. Our response welcomed the move towards greater transparency and accountability of data collation to help provide a more comprehensive view of the experiences of victims and where the gaps are. I used the opportunity to highlight the Welsh Government's view that the UK Government should publish data on the experiences of victims who are racially diverse, victims with disabilities, victims from lower socio-economic backgrounds and victims with other protected characteristics, and that once published the data should be

disaggregated to Wales, respecting the distinct Welsh context and providing us with the information we need to understand how the system is performing.

The role the Racial Disparities Unit play in improving the Welsh Government's data-gathering and monitoring of racial disproportionality

The Race Disparity Evidence Unit play an important role in improving Welsh Government's data gathering and monitoring in the Welsh criminal system.

The Unit was established in January 2022 alongside the distinct Equality and Disability Evidence Units to improve the availability, quality, granularity, and accessibility of evidence about individuals with protected and associated characteristics. This will enable us to better understand the extent of disparities and allow decision makers to develop better informed policies that can be monitored and evaluated for their impact. This will drive us towards better outcomes for people with protected and associated characteristics and contribute to our goal of 'A more equal Wales' as set out in the Well-being of Future Generations (Wales) Act 2015.

Both Units published an [Equality, Race and Disability Evidence Units strategy](#) in October 2022 following Cabinet approval on 12 September. The strategy and accompanying emerging [priorities](#) describe the scope of the Units and initial projects to be carried out. The Race Disparity Evidence Unit has a focus on race inequality and supporting commitments in the Anti-Racist Wales Action Plan. This in turn will contribute to driving better outcomes for people who face racial discrimination across a range of sectors, including justice.

The Race Disparity Evidence Unit is working with colleagues in Knowledge and Analytical Services (KAS) in Welsh Government and with external stakeholders to improve data on ethnicity in the justice sector. The Unit is currently undertaking a data audit by ethnicity of all data sources and statistical outputs produced by the Welsh Government's Statistical Services across all policy areas. The purpose of the audit is to examine what ethnicity data is currently collected and published and to identify gaps in evidence and recommend improvements. The audit will then move beyond Welsh Government data to administrative data and data collected by other public sector bodies.

In response to the Anti-racist Wales Action plan the Race Disparity Evidence Unit is focusing closely within the audit on the mapping and identification of Welsh specific data relating to the Criminal Justice System in Wales, including data relating to demographic characteristics, of which ethnicity is of particular interest, to inform requests to the Ministry of Justice and other relevant UK Government departments on the disaggregated figures for Wales.

One of the key roles for the Race Disparity Evidence Unit is to look at how we can measure the impact of the Anti-racist Wales Action Plan in understanding whether this has resulted in a real change to people's lives and experiences. We have made an initial assessment and drafted a framework for measuring change which will be discussed with the Anti-racist Wales Action Plan Accountability Group in January 2023.

Initial analysis of the priorities for improving evidence on ethnicity have been produced in advance of the completion of the full audit based on known gaps, and key work has started including the following which are relevant to the criminal justice system:

- [Examination of National Survey for Wales](#) - We have made an initial assessment of the National Survey for Wales to see what information can be published by ethnicity and have started a follow up project to assess how sample sizes or data linking could

improve the amount and quality of ethnicity data. We expect to make recommendations on improvements in 2023-24.

- Pilot data collection and publication of information on protected characteristics of Public Sector Bodies boards (including ethnicity) - A data collection tool has been developed and will be circulated to Public Service Boards early in 2023. We aim to publish a report on the pilot year in Spring 2023 which will set out the data available and plan for improving coverage in future collections.

We are also commissioning a project to understand how co-production can be used in statistics and research. I can confirm that a first phase of commissioning has taken place.

I am aware that there is always more we can do to tackle issues of racial inequality within the criminal justice system in Wales. I would like to assure you we will continue to work in collaboration with our justice partners to address this.

I will keep you informed of progress.

Yours,

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

Jane Hutt MS

Y Gweinidog Gwasanaethau Cymdeithasol
Minister for Social Justice

Jane Hutt MS
Minister for Social Justice

December 21st 2022

Dear Jane

Racial disproportionality within the Welsh criminal justice system

The Committee noted correspondence from Dr Robert Jones of the Wales Governance Centre on 14 November 2022. The letter was initially written to the Legislation, Justice and Constitution Committee; however it was then passed to us, given the overlap with our remit.

You will be aware that the Equality and Social Justice Committee has recently undertaken two spotlight inquiries on the criminal justice system, where we looked at its impact on women and on young people with speech, language and communication needs.

Whilst the forward programme of the Committee is already scheduled for the coming months thus preventing us from undertaking a full inquiry into racial disproportionality within the Welsh criminal justice system at the moment, some of the issues highlighted merit further attention.

While criminal justice is reserved to the UK Government, the Welsh Government has a clear responsibility for promoting equality and tackling all forms of discrimination in Wales. I would be grateful if you could provide a response to the following questions:

What work, if any, is the Welsh Government undertaking to tackle racial disproportionality within the Welsh criminal justice system?

Has the Welsh Government raised issues of racial disproportionality with counterparts in the UK Government? If so, please provide a breakdown (at both ministerial and official level)?

What role will the Racial Disparities Unit play in improving the Welsh Government's data-gathering and monitoring in this area?

We look forward to your response.

Yours sincerely,

A handwritten signature in black ink on a light-colored background. The signature reads "Jenny Rathbone" in a cursive, flowing script.

Jenny Rathbone MS

Chair, Equality and Social Justice Committee



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

24 January 2023

Dear Jenny,

Draft Budget 2023-24

Thank you for the invitation to appear before the Equality and Social Justice Committee on 16 January, I hope you found my evidence helpful. I am pleased to provide below the follow up information you requested in your letter of 19 January and look forward to receiving your report in due course.

Gypsy and Traveller Sites Capital Grant

The Gypsy and Traveller Sites has a capital budget of £3.690m in the 22-23 financial year. To date, there has been no spend against this Budget Expenditure Line in this financial year and none is forecast to occur before 31 March 2023.

Funding allocated for deliver of the LGBTQ+ action plan

The Equality, Inclusion and Human Rights BEL in my MEG includes funding of £456,000 to deliver the elements of the LGBTQ+ Action Plan that are within my responsibility. The total expected spend on delivery of the action plan in 2023-24 is £774,000. The remainder of the funding will come from budgets across the Health, Education and Economy portfolios.

Further detail on the work of the third sector partnership council relating to sustainability of funding and confirmation that Welsh Government Third Sector grants are normally awarded on a three-year basis, unless there are exceptional circumstances

Through the Third Sector Partnership Council and its Funding and Compliance sub-committee, we are currently reviewing our code of practice for funding the voluntary sector. The review is aimed at improving the funding relationship between voluntary and public sectors, by creating an environment that enables the voluntary sector to be more sustainable. The sub-committee will be consulting with the voluntary, public and private sectors on the 5 key principles which have been identified late spring 2023.

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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 have previously recognised that, in general, longer-term funding is beneficial in terms of making better planning decisions to enable the continuity of service and support, including for the most vulnerable members of society, as well reducing bureaucracy and aiding the sustainability of voluntary organisations.

Historically the Welsh Government has grant funded most organisations by issuing award letters on an annual basis. Although funding for longer periods has always been an option, these decisions have been on a case-by-case basis and at the discretion of individual policy areas.

From early 2022, all new competitive grants can, unless Ministers or other factors dictate otherwise, be awarded for up to 3 years, with a benchmarking exercise to assess performance at the end of that period. Subject to the outcome of the benchmarking the grant scheme can, if required, then be extended for a further 3 years. However, the duration of the grant scheme should also be dependent on the needs of the policy area. This policy is applicable across Welsh Government.

Total amount of funding allocated to the Equality, Race and Disability Evidence Units

The total amount of funding allocated to the Equality, Race and Disability Evidence Units for the financial year 2023-24 is £1,635,650. The budget is made up of staff costs, to carry out research and statistical activities, a research budget to commission research and a small amount of operational costs to support recruitment and staff on-boarding.

It is expected this will roughly be split as follows:

- Staffing – 74%
- Evidence – 24%
- Operational – 2%

Yours sincerely



Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Jane Hutt MS
Minister for Social Justice

19 January 2023

Dear Jane

Draft Budget 2023-24

Thank you for giving evidence on January 16th as part of our scrutiny of the Draft Budget 2023-24. Further to our session, we would be grateful if you could provide the following information:

- the total amount spent from the Gypsy and Traveller Sites Capital Grant from the 2022-23 budget;
- the total amount of funding allocated for delivery of the forthcoming LGBTQ+ action plan;
- further detail on the work of the Third Sector Partnership Council relating to sustainability of funding and confirmation that Welsh Government Third Sector grants are normally awarded on a 3 year basis, unless there are exceptional circumstances; and
- the total amount of funding allocated to the Equality Evidence Units.

Given the timescales for reporting on the Draft Budget, we would be grateful to receive this information by 24th January.

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee



Llywodraeth Cymru
Welsh Government

Jenny Rathbone MS
Chair of the Equality & Social Justice Committee
Welsh Parliament
Cardiff Bay
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19 January 2022

Dear Jenny,

Social Partnership and Public Procurement (Wales) Bill

In my recent letter of December 15 2022 following the General Principles debate on the Social Partnership and Public Procurement (Wales) Bill I undertook to write to you again before we reconvene for our stage 2 deliberations to provide more information in relation to recommendations 3, 11, 12, 13, 15, 22 and 28.

Recommendation 3 asks that we set out terms of reference for the Social Partnership Council (SPC). I have confirmed that work is already under way with social partners through the Social Partnership Forum (SPF) to prepare the ground for the SPC. However, the purpose and functions of the SPC are set out very clearly on the face of the Social Partnership and Public Procurement (SPPP) Bill. It is our intention that other practical matters relating to the operation of the Council that are not specified in the Bill will be set out in its procedures. These procedures will be developed in social partnership and subsequently confirmed with the SPC. I will keep the Committee updated on this work.

In relation to recommendation 11, it is for the Commissioner to determine their priorities to discharge their general duty and powers under Part 3 of the Well-being of Future Generations (Wales) Act 2015. The Commissioner's general duty is to promote the sustainable development principle, in particular to act as a guardian of the ability of future generations to meet their needs and encourage public bodies to take greater account of the long-term impact of the things that they do. The Bill does not place any new duties or obligations on the Commissioner. The Welsh Government Draft Budget proposed a budget of £1,680 for the Future Generation Commission in 2023/24. This is an increase of £171k to its baseline.

On 18 January, I met representatives of the NGO organisations who submitted the briefing note that relates to recommendation 12, which asks that we bring forward an amendment to the Bill regarding the Well-being of Future Generations (Wales) Act 2015 globally

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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.

responsible well-being goal so that global responsibility is explicitly referenced on the face of the Bill. The Welsh Government has not brought forward an amendment to this effect because in our view it is unnecessary. However, I am pleased to say the organisations who have lobbied for this change have welcomed the opportunity to work collaboratively with the Welsh Government to develop the socially responsible procurement statutory guidance provided for by the Bill, and more generally to continue the dialogue on globally responsibility and how we can strengthen Public Bodies' understanding of this. We also discussed the potential the SPC has to provide relevant information and advice to Welsh Ministers in future on how the proposed new social partnership duties and socially responsible procurement duties can help strengthen our efforts in Wales to address issues such as deforestation and ethical global supply chains.

In relation to recommendation 13, I said I would update the Committee once further discussions have been held with the Office for National Statistics (ONS) and the Charity Commission in relation to the potential impacts of bringing these bodies within the scope of the socially responsible procurement duties of the Bill. My officials met Sir Ian Diamond, the UK Chief Statistician and Permanent Secretary at ONS to determine whether making Further Education Institutions, Higher Education Institutions and Registered Social Landlords subject to the socially responsible public procurement duty would impact on their current status as "not for profit institutions serving households" (NPISH). I understand Sir Ian has undertaken to write to confirm the ONS's position which is that they are not able to offer speculative advice on what actions government might take which would trigger a change in the current classification of FE, HE or RSLs as NPISH. Any decision on this matter could only be taken once the Bill becomes law.

The Charity Commission have reviewed the Bill and are satisfied that making charities subject to the socially responsible procurement duties would not negatively impact on their charitable status. However, as a regulator and not a representative body for charities, the Commission cannot provide comment on any issues that may arise for charities in complying with such duties.

In relation to recommendation 22, I said I would provide the Committee with more detailed examples of the types of circumstances that might trigger an investigation under Section 41. Section 41 on procurement investigations is drafted broadly. It provides that Ministers may investigate "how a contracting authority carries out public procurement" and that an investigation may relate to a particular procurement exercise or how a contracting authority carries out its procurement more generally. We also expect that Welsh Ministers will be given powers of investigation as a result of the UK-led procurement Bill, and although these will be in relation to compliance with procurement processes rather than well-being outcomes there may be occasions when matters under investigation may relate to both pieces of legislation.

One circumstance that might give rise to an investigation under section 41 would be if a contracting authority has not included the social public works or workforce clauses within a major construction or outsourcing contract, and has failed to notify the Welsh Ministers of this, and its reasons for not doing so. Another circumstance might be where a contracting authority has failed to publish its procurement objectives, strategy or an annual report without good reason, or if these documents significantly fail to meet expectations set out in statutory guidance. Yet another circumstance might be if a contracting authority has failed to collect and report data required by regulations on annual reports, or if the figures published demonstrate significantly poorer performance than that of other similar organisations.

The evidence that might trigger an investigation under section 41 could come from a number of sources, but the most likely one would be the statutory procurement sub-group of the SPC, through reviews of published annual reports and any other evidence. There will be

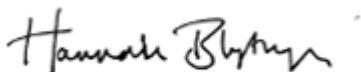
other sources of evidence including the oversight function that we expect to establish to manage compliance with the UK-led procurement Bill. In the Explanatory Memorandum accompanying this Bill we explained that mechanisms for oversight and accountability are an area of interaction between these two Bills. Details on the establishment and operation of these mechanisms are not yet available but we intend these to be stream-lined to avoid duplication, and we will clarify how this will interact with the procurement sub-group of the SPC.

The Explanatory Memorandum also refers to a feedback service that we plan to put in place. The intention is that this will be a mechanism for unsuccessful bidders and other stakeholders to raise concerns about compliance with the new procurement legislative regime in Wales. There is the potential for the procurement sub-group to provide advice arising from feedback relating to the Socially Responsible Procurement duties. If this advice shows evidence of repeated poor compliance it may also result in a procurement investigation. Examples of matters that might be raised with the feedback service and give rise to an investigation might include repeated poor enforcement of prompt payment in supply chains, or repeated failure to ensure that agreed well-being outcomes set out in objectives and contracts are being achieved.

Finally, regarding recommendation 28, which is closely related to recommendation 27 and the action we are taking relates to both, my officials are producing a summary report for the Committee to consider in due course, which will offer a synopsis of discussions at the Shadow Social Partnership Council (SSPC) during the pandemic. This will demonstrate the depth and breadth of discussions at the Council and how the social partnership model operated during this challenging time. In particular, it will highlight how the Welsh Government was able to consider a range of different perspectives and involve social partners as complex decisions were being made.

I trust that the information provided in this letter is useful to the Committee.

Yours sincerely,



Hannah Blythyn AS/MS
Y Dirprwy Weinidog Partneriaeth Gymdeithasol
Deputy Minister for Social Partnership

Hannah Blythyn MS
Deputy Minister for Social Partnership

16 January 2023

Dear Hannah

Social Partnership and Public Procurement (Wales) Bill

Thank you for your [letter of 15 December 2022](#) in response to our [report on the Social Partnership and Public Procurement \(Wales\) Bill](#). We considered your letter at our meeting on 9 January 2023.

We noted your response to our report's recommendations, and, in particular, your response to recommendations 7 and 8. Those recommendations called on you to table amendments to the Bill to apply the affirmative procedure to the regulation-making powers within sub-sections 38(3)(a) and (b) of the Bill, which relate to procurement strategies.

We are aware, as you state, of the Welsh Government's own guidelines on the criteria it should take into account when selecting the appropriate procedure for subordinate legislation. While they are extremely helpful, we will come to our own view on a particular provision based on a range of factors, including our own analysis of the Bill and the context of each provision.

You also state in your letter that the powers within sub-sections 38(3)(a) and (b) are:

"... a future-proofing arrangement to ensure that any changes in procurement practice – which could be dictated by wider statutory changes over which the Welsh Government may have no discretion – are able to be applied if this should become necessary."

Based on your explanation, it continues to appear to us that these powers could enable significant changes to primary legislation, and therefore we continue to believe that it is appropriate that the affirmative procedure is applied to them.

I am copying this letter to the Chair of the Equality and Social Justice Committee.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies

Chair

Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Ein cyf/Our ref: Safety, Security and Migration IMG

Huw Irranca-Davies MS
Chair of the Legislation, Justice and Constitution Committee
SeneddLJC@senedd.wales

Cc Jenny Rathbone MS, Chair of the Equality and Social Justice Committee.
seneddequality@senedd.wales

24 January 2023

Dear Huw,

**Inter-Institutional Relations Agreement: Safety, Security and Migration
Interministerial Group**

I am writing in accordance with the Inter-Institutional Relations agreement to let you know that the first IMG for Safety, Security and Migration will be held on Wednesday 1 February. I will be joining the meeting virtually to represent the Welsh Government.

A Senior Officials meeting took place on Thursday 19 January where the agenda was finalised. I will be able to provide you with a copy of the finalised agenda as soon as I receive a copy.

A communique will be issued after the meeting.

I am also copying this letter to Jenny Rathbone MS, Chair of the Equality and Social Justice Committee.



Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

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17 January 2023

Dear Sophie,

The Welsh Government's response to the section 20 review by the Future Generations Commissioner for Wales

I would like to thank you and your team for the work on the section 20 review and the collaborative approach you have taken with Welsh Government. The report provides a timely and welcome opportunity for us to take stock, reflect on what we have achieved so far, and to help us seize new opportunities to deepen the understanding and application of the sustainable development principle at the heart of how Welsh Government works.

The report highlights the significant progress we have made in embedding the Well-being of Future Generations (Wales) Act 2015 in how we work and recognises the progressive nature of this legislation and our maturity as an organisation leading the change, while also identifying areas where we can improve. We have considered and accepted the recommendation made to Welsh Government in the review's report and will be taking steps to follow the course of action set out in the recommendations. I have enclosed a summary of this position in Annex A.

Our response to your recommendation accepts the need to better communicate the actions we are taking to improve how we act in accordance with the sustainable development principle. This is consistent with our position prior to the review, and our shared agreement early in the review.

In parallel with our collaborative engagement with your team on the section 20 review we therefore took the opportunity to develop this plan enabling us to draw from the review. We will therefore shortly be publishing a prototype *Well-being Future Generations Continuous Learning and Improvement Plan 2023-25* setting out the improvement actions we will take over this period to deepen the understanding and application of the sustainable development principle at the heart of how Welsh Government works.

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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 believe our approach will also send an important signal to the public bodies that the Well-being of Future Generations agenda requires continuous improvement and reflection.

As we are required to publish our response to your recommendation, we will publish this letter on our website (<https://gov.wales/well-being-future-generations>).

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

Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Copied to the Chair of the Equality and Social Justice Committee

Annex A: The Welsh Government's response to recommendation made to it by the Commissioner under section 20 of the Well-being of Future Generations (Wales) Act 2015

Under the Well-being of Future Generations (Wales) Act 2015 (WFG Act), a public body must take all reasonable steps to follow the course of action set out in a recommendation made to it by the Commissioner under the section 20 review power, unless the public body is satisfied that there is good reason for it not to follow the recommendation or it decides on an alternative course of action. A public body must publish its response to a recommendation.

Section 20 review report by the Future Generations Commissioner for Wales (December 2022)

Recommendation

Welsh Government should continue to take action to continually improve how the Well-being of Future Generations Act drives its work to support Welsh Ministers deliver their well-being objectives, act in accordance with the sustainable development principle and, by doing so, maximise their contribution to the national well-being goals. In doing so, Welsh Government should publish a plan, setting out the improvements they will make, which address the findings and areas of improvement outlined in this Section 20 Report.

This should include timescales for the delivery of actions and arrangements for reporting annually, monitoring, and reviewing progress, and how it will collaborate with others (including the Commissioner's office) to ensure that Welsh Government can remain at the forefront of the well-being of future generations agenda. Welsh Government should work openly with the Commissioner to monitor the progress of this plan. Welsh Government should report on the progress of this plan alongside their annual report.

The Welsh Government response

Welsh Government **accepts** this recommendation.

The steps we will be taking to follow the course of action in this recommendation are as follows:

- publish a *Well-being of Future Generations Continuous Learning and Improvement Plan (WFG CLIP)* by February 2023 focused on deepening the understanding and application of the sustainable development principle in how Welsh Government works. This will set out the actions we will take over the period 2023-2025.
- provide separate commentary to the Commissioner on the areas of improvement identified in the section 20 report and, where relevant, indicate which parts of the WFG CLIP address these areas of improvement.
- embed the elements that focus on the operation of the Welsh Government civil service within WG2025, which is the three-year programme for organisational development and a platform for the conversation with the workforce on the changes and improvements we need to make.
- discuss the elements of the WFG CLIP that focus on enabling others with the Well-being of Future Generations National Stakeholder Forum to understand what opportunities there are to work with others to deepen the understanding and application of the WFG Act.

- continue to use the Welsh Government Performance Framework to measure the application of the sustainable development principle within the Welsh Government, looking for opportunities for new data to support the picture of performance.
- provide an annual update on progress of the actions in the WFG CLIP.
- identify those actions which will require collaboration with others, including which of these where we may seek the advice and support of the Future Generations Commissioner.
- take opportunities to implement 'quick win' actions such as reviewing and revising the Board Champion arrangements, the assurance analysis through the Internal Control Questionnaire and improve futures capacity and capability.
- include the ongoing implementation of the WFG CLIP as a standing item in our quarterly meetings between Welsh Government and the office of the Future Generations Commissioner for Wales.

Agenda Item 7

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

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