

Senedd Cymru | Welsh Parliament

[Y Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) | [Equality and Social Justice Committee](#)

Ymateb gan: Race Equality First | Evidence from: Race Equality First

Race Equality First: Evidence Submission to the Post-Legislative Review of the Well-being of Future Generations (Wales) Act 2015:

Introduction and Context:

Race Equality First (REF) is a Cardiff-based charity with nearly 50 years of experience in tackling discrimination and hate crime and promoting race equality as a fundamental human right. We assist those who have experienced discrimination and hate crime across all nine of the protected characteristics outlined in the Equality Act 2010 and all five recognised hate crimes strands in the UK. We also offer a more general advocacy service for people from a minority ethnic background. We run training on race awareness, cultural awareness and how to report hate crime and discrimination. We also provide anti-racist learning and development resources for organisations (including in the form of training and anti-racist action plans for organisations to implement). We have also led the Welsh civil society response to the UN Committee for the Elimination of Racial Discrimination (CERD) to inform the Committee of the extent of racial inequality in Wales, most recently in August 2024. We are also conducting research alongside Professor Matthew Williams of Cardiff University, who is considered one of the world's leading experts on hate speech and hate crime, to understand why hate crime prosecutions are so low in Wales, despite consistent high numbers of reports to the police. We also run numerous different activities across Wales, from cooking classes to women's only swimming sessions, and we offer a counselling and mental health support service also. As a result of our work, we therefore have a strong interest in how the Well-being of Future Generations (Wales) Act 2015 is implemented to secure a fairer future for the minority ethnic communities of Wales.

Strengths of the Act – But a gap between aspiration and impact:

The Act is globally pioneering in its ambition to consider the needs of future generations and ensure sustainable and equitable development for current and future generations in Wales, with seven well-being goals that span equality, health, prosperity, resilience, global responsibility, culture, and community cohesion. Yet nearly ten years on, and the Act is still failing to achieve the system-wide change originally intended.¹ There is also a pressing need to ensure the Act ensures tangible, equitable outcomes for all communities, especially those who have been historically marginalised. Thus, REF welcomes this post-legislative review as an opportunity to embed race equality more explicitly within the Act's framework and implementation to improve the lives of minority ethnic people in Wales.

¹ Audit Wales., (2025). [No time to lose: Lessons from our work under the Well-being of Future Generations Act](#), p.4.

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The Future Generations Commissioner's latest report warns that Wales faces an "*unrecognisable future*"² without urgent action to protect the environment and to tackle poverty and ill health. These long-term challenges – from climate change to entrenched inequality – undoubtedly hit the most vulnerable communities hardest. Yet Commissioner Derek Walker has been "*frustrated at progress*" so far, and Audit Wales likewise finds that the Act is still failing to achieve the "*system-wide change*" originally intended.³ For minority ethnic communities, who disproportionately experience poverty, ill health, and exclusion, this lack of transformative change means the Act's promise of a "More Equal Wales" is far from fulfilled. For example, recent Welsh Government data shows that there was a 50% likelihood of people whose head of household comes from a Black, Asian, or Minority ethnic background living in relative income poverty – more than double the rate for those whose head of household comes from a White ethnic background (22%).⁴ This clearly demonstrates that we are not yet on track to achieve a "More Equal Wales" for future generations. While the language of sustainability and long-term thinking is now more common in public policy, at least in Wales, for minority ethnic communities, the lived reality of systemic disadvantage – higher poverty rates, poorer health outcomes, employment discrimination, and racism – persists.

The Missing Link: The need for a clearer focus on race equality in the Act and integrating the Act with Anti-Racist Wales Commitments:

The principle of well-being for all future generations must be intentionally applied to address persistent systemic racial inequalities in Wales. Currently, the Act does not explicitly name race equality within its well-being goals or ways of working, which we argue has led to inconsistent attention to issues that impact minority ethnic people. To truly realise its goal of a "More Equal Wales," public bodies need much stronger guidance and obligations to consider race.

The Anti-Racist Wales Action Plan (ARWAP) and its 2024 update set out a clear, government-backed roadmap for Wales to become an anti-racist nation by 2030. REF strongly recommends that the Well-being of Future Generations Act and the ARWAP be more explicitly integrated to ensure meaningful impact.

Many of the changes we believe are necessary to strengthen the Act's impact on race equality – such as improved recording of ethnicity data, clear targets for reducing racial disparities, culturally competent public services, and stronger scrutiny – are already included in the ARWAP. Yet, these two major frameworks are not sufficiently connected in implementation, reporting, or accountability.

To use healthcare as an example – REF's own work shows that minority ethnic people face barriers accessing health services (particularly mental health services), experience racism in healthcare settings, and are often excluded from the design of health programmes.⁵ The ARWAP includes a clear focus on health equity, highlighting how systemic racism contributes to continued poor health outcomes and unequal access to care for minority ethnic people. This directly supports the Act's goals of a "Healthier Wales" and a "More

² [Future Generations Report 2025](#). See also: Messenger, S., (2025). Wales facing unrecognisable future, warns commissioner, [The BBC](#).

³ *Ibid*. See also: Audit Wales., (2025). [No time to lose: Lessons from our work under the Well-being of Future Generations Act](#).

⁴ Welsh Government, (2024)., [Relative income poverty: April 2022 to March 2023](#).

⁵ Race Equality First, (2024)., [Joint NGO Shadow Report on Racial Inequality in Wales](#), p.63-69.

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Equal Wales.” Yet, health inequalities persist, and culturally competent healthcare remains inconsistent while the Audit Wales report specifically highlights that the health system in particular has some way to go in applying future generations thinking across its planning and delivery.⁶

Furthermore, evidence suggests that the quality of equality and impact assessments under the Act is inconsistent. Audit Wales found that the information in impact assessments is frequently out-of-date or insufficient, and crucially, its review of Equality Impact Assessments (EIAs) in 2022 highlighted that diverse groups were not being involved often enough in shaping decisions.⁷ REF is deeply disappointed and frustrated that many public bodies in Wales are not adequately applying the Act’s ways of working to ensure minority groups have a voice, as, if people from minority groups, including minority ethnic people, are not at the table when well-being plans and policies are developed, those plans are far less likely to meet their needs.

This failure reflects a wider issue with the non-binding nature of the Act – which is discussed in more detail later in this evidence submission. For example, while the Future Generations Commissioner urges that “public bodies *should* actively embed [the five ways of working] by involving the public and members of staff meaningfully in shaping decisions, paying particular attention to those who have been traditionally excluded from decision making positions – such as people who are Black, Asian and Minority Ethnic, LGBTQIA+ and disabled,”⁸ the use of the word “*should*” rather than “*must*” underscores the Act’s lack of enforceability. It also highlights the over-reliance on goodwill, rather than accountability, in applying the Act’s principles. REF believes this contributes directly to inconsistent implementation and undermines the credibility of the Act’s promise to deliver a more equal Wales.

Welsh Government and oversight bodies must ensure that minority ethnic stakeholders are actively engaged in the planning, delivery and review of well-being objectives. Thus, we recommend the following:

- The Well-being of Future Generations Act be explicitly embedded within the ARWAP as a delivery mechanism and well-being plans must explicitly link to the goals and actions in the ARWAP to implement and achieve equity for minority ethnic people in Wales.
- The Well-being of Future Generations Act must be explicitly aligned with the UN International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), to fully reflect Wales’s international human rights obligations to eradicate racial discrimination. Accountability for the Act’s implementation must also be considered in light of Wales’s commitments under ICERD – including the substantive articles of the Convention and the concluding observations issued during periodic reviews by the Committee on the Elimination of Racial Discrimination (CERD). This would help ensure that the Act not only supports domestic policy coherence, but also contributes meaningfully to international standards on race equality and anti-racism.
- The collection of ethnicity data remains inconsistent – mandate the systematic collection and disaggregation of data by ethnicity for all areas relevant to the well-

⁶ Audit Wales., (2025). [No time to lose: Lessons from our work under the Well-being of Future Generations Act](#), p.7.

⁷ Audit Wales., (2025). [No time to lose: Lessons from our work under the Well-being of Future Generations Act](#), p.35.

⁸ See: [Future Generations Report 2025](#), p.124.

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being goals. Explore ways in which the Act and the Commissioner's team could progress and monitor the implementation of this further across Welsh public bodies, as without such data, public bodies cannot adequately plan or evidence progress.

- Require public bodies to include specific, measurable, achievable, relevant, and time-bound (SMART) targets related to race equality within their well-being objectives and plans, and with this, ensure that public bodies link up their well-being objectives and plans to their strategic equality plans.
- Meaningful engagement with and involvement of minority ethnic groups in the design and delivery of public services' well-being plans remains inconsistent – explore ways in which the Act and the Commissioner's team could progress and monitor the implementation of this across Welsh public bodies. Public Services Boards must be required to engage minority ethnic communities in the co-production of well-being plans; additionally, consultations on well-being plans must proactively seek out minority ethnic voices – through translated materials, community champions, and outreach in trusted spaces.

Scrutiny and Accountability:

The Act's current reporting and scrutiny mechanisms are not sufficiently focused on race equality. Under the Act, public bodies are not required to report on outcomes by ethnicity. At present, public bodies' annual well-being reports seldom break down outcomes by ethnicity. This lack of demographic detail can mask disparities. The Act's own national indicator set includes measures directly relevant to inequality (such as the poverty rate gap for protected characteristics), but not all public bodies report against these at a local level. Future statutory guidance must require that reporting be disaggregated by ethnicity wherever possible. Linking this with the existing requirements under the Equality Act 2010 (including the Public Sector Equality Duty and Socio-economic Duty) would help ensure alignment between well-being and equality objectives.

REF believes that to improve this:

- The Future Generations Commissioner must be equipped and given a clearer mandate to assess and report on race equality outcomes.
- Annual reporting requirements under the Act must include ethnicity data and an analysis of how well-being objectives are delivering for different ethnic groups.
- Strengthen external oversight of the Act (especially as some public bodies, particularly in parts of the health sector, have given little or no explicit consideration to the Act, according to Audit Wales's recent report⁹).

Enforceability and Legal Impact:

⁹ Audit Wales., (2025). [No time to lose: Lessons from our work under the Well-being of Future Generations Act](#), p.7.

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When assessing the enforceability of the Well-being of Future Generations Act and its impact on protecting minority ethnic communities, it's important to acknowledge a fundamental challenge: the Act creates duties on public bodies that are collective and long-term in nature, essentially making them difficult to enforce through traditional legal mechanisms. Individuals cannot easily bring legal action for a breach of the Act in the way they might for a breach of the Equality Act 2010 for instance. Additionally, a senior barrister famously described the Act as, “*virtually useless*,” for citizens seeking to challenge decisions, noting that while the law’s guidance is full of aspirational language, in practice, “*individuals are not going to be able to use it.*”¹⁰ This stark critique highlights that the Act currently lacks direct avenues for redress if, for example, a public body’s action (or inaction) is failing future generations or perpetuating racial inequality. The Future Generations Commissioner has no power to sanction public bodies, only to advise and recommend. The Auditor General can examine and report, but again cannot compel compliance beyond making findings public. As a result, the legal provisions of the Act have limited bite when it comes to forcing change for the benefit of minority ethnic people (or any group of people).

The need for stronger legal enforceability is further demonstrated by Audit Wales’s finding that public bodies often adopt a ‘compliance mindset’ – doing the minimum to meet the Act’s formal requirements – rather than truly embracing the spirit of involvement and long-term prevention.¹¹ Such a mindset therefore easily allows for equality considerations to be treated as a tick-box exercise.

REF is therefore deeply concerned by the lack of meaningful justiciability of the Act and the way in which this has enabled some public bodies to adopt a compliance mindset. We feel that the Act’s promise to protect future generations, including those from minority backgrounds, will remain hollow unless enforcement is bolstered. There must be clearer consequences for non-compliance, however rather than making the Act directly enforceable through the courts, REF supports strengthening links with existing legal duties:

- Where public bodies fail to meet well-being goals related to equality, this should trigger review under the Equality Act’s Public Sector Equality Duty.
- Give the Future Generations Commissioner stronger investigative or enforcement powers – for instance, the ability to issue compliance notices or refer a public body to a legislative committee or even a tribunal if it persistently fails to meet its well-being objectives related to equality.
- Consider amendments to give the Act more “teeth,” such as enabling legal challenges or sanctions when public bodies fail to take the interests of future generations (and the interests of minority groups) into account.

In summary we recommend the following:

1. Embed and integrate the Well-being of Future Generations Act and the Anti-Racist Wales Action Plan into each other.

¹⁰ Martin, P., (2019). Law to protect future generations in Wales 'useless', [The BBC](#).

¹¹ Audit Wales., (2025). [No time to lose: Lessons from our work under the Well-being of Future Generations Act](#), p.14.

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2. Require public bodies to align well-being goals with legal duties under the Equality Act, the Public Sector Equality Duty, the Socio-economic Duty, ICERD, and the Human Rights Act.
3. Improve collection and use of ethnicity data across all well-being areas.
4. Set SMART targets related to race equality within well-being plans.
5. Mandate the participation of minority groups, including minority ethnic communities in well-being planning and service design.
6. Strengthen the Commissioner's mandate to monitor race equality outcomes.
7. Link well-being reporting to existing equality duties for accountability.

Conclusion:

The Well-being of Future Generations Act remains an important piece of legislation with powerful potential. But, for it to be meaningful for Black and minority ethnic communities in Wales, it must be more intentionally aligned with the Welsh Government's Anti-Racist Wales Action Plan and broader equality duties. This will not only strengthen delivery on race equality, but will make the Act's implementation more coherent, measurable, and impactful. We urge the Welsh Government to use this review to secure that alignment and help realise a truly fair and sustainable future for all people of Wales, regardless of their ethnicity.