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Llywodraeth Cymru
Welsh Government

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee

16 March 2026

Dear Mike,

Thank you for your letter of 3 March following the evidence session with the Legislation, Justice and Constitution Committee. Outlined below are our answers to the questions included in your letter.

UK Internal Market Act and Common Frameworks

1. What is the Welsh Government's current assessment of the impact of the UK Internal Market Act's market access principles on the effectiveness of Welsh law?

The Welsh Government's position on the impact of the United Kingdom Internal Market Act 2020 (UKIMA) is set out in the Counsel General's letters to this Committee dated 13 October, following the statutory review of UKIMA and 5 January, which provided further clarification.

In summary, when developing legislative proposals, including both primary and secondary legislation, the Welsh Government recognises that UKIMA may have an impact on the effectiveness of Welsh law. For clarity, we recognise the market access principles could apply both to secondary legislation made under Senedd Acts and to Senedd Acts themselves. The application and practical effect of the market access principles are not uniform and will depend on the specific nature and scope of the legislation concerned.

Where there is a risk that the market access principles could impact Welsh Government policy objectives, we will engage on a four-nations basis through the relevant Common Frameworks. These forums provide the primary mechanism for considering alignment, divergence and, where appropriate, whether exclusions from the requirements of UKIMA should be pursued.

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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.

2. To what extent will Common Frameworks be utilised as structures to discuss alignment and divergence with the EU should the UK reach an agreement with the EU to dynamically align in certain sectors in future?

It is too early to be definitive about the implications of any future agreement between the UK and the EU involving dynamic alignment in specific sectors. Where such alignment is pursued, we expect that any divergence would typically be more limited in nature. In those circumstances, the Welsh Government would expect Common Frameworks to continue to provide the principal structured forum for four-government engagement, supporting early notification, monitoring and discussion of alignment decisions, and the management of any resulting divergence.

3. How is the Welsh Government working to improve the transparency of discussions within Common Frameworks for the Senedd, stakeholders and citizens?

The Welsh Government has engaged with relevant technical stakeholders throughout the development of Common Frameworks, working jointly with the UK Government and the other devolved governments. Levels of stakeholder interest have varied, with engagement generally strongest on the underlying policy issues rather than on the intergovernmental working arrangements set out in the Common Frameworks themselves.

This has informed a deliberately proportionate approach to engagement, focusing on stakeholders with a direct technical or operational interest rather than treating Common Frameworks as broad, public-facing consultations. We nevertheless recognise that wider stakeholder engagement may be beneficial, and we will continue to work with the UK Government and the other devolved governments to agree appropriate approaches to future engagement. It is also important to emphasise that Common Frameworks do not replace consultation or Senedd scrutiny. Where Common Framework discussions lead to policy change or legislation in Wales, the Welsh Government's normal consultation and scrutiny processes apply in full.

Justice

4. How is the Welsh Government engaging with the UK Government on the devolution of policing, the UK Government's proposed reforms to police forces and the abolition of Police and Crime Commissioners, amongst other issues?

The Welsh Government is engaging actively with the UK Government on policing reform, including the potential for steps towards the devolution of policing in the light of proposed changes to police force structures and the planned abolition of Police and Crime Commissioners. We have been clear that policing should be devolved to Wales, while recognising that the extent of devolution is not always a simple binary choice and that the first priority is what best serves the interests of communities and victims.

The Welsh Government's approach to engaging on replacement arrangements for PCCs was set out in the [written statement](#) of the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip on 27 January, and the Welsh Government is represented on multiple working groups considering different aspects of policing reform. Most recently, the Policing Minister attended the in-person meeting of the Policing Partnership Board for

Wales on 5 March 2026, chaired by the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip, where policing reform was discussed further.

- 5. Lord Timpson, the Prisons Minister, told the Welsh Affairs Committee that a decision on the proposed Women’s Residential Centre in Swansea was expected in January. Can you confirm if a decision has been made and when the outcome will be announced?**

The Counsel General responded on 27 January 2026 to the Committee’s letter of 14 January 2026 regarding the proposed Residential Women’s Centre in Swansea. As set out in that correspondence, decisions on the opening of the Centre rest with the UK Government, although building and planning permission are in place and the Centre remains a priority for the Welsh Government.

The Centre would enable women in Wales to access trauma-informed, rehabilitative support closer to home, helping them maintain family ties and addressing underlying factors associated with offending. The Cabinet Secretary for Social Justice, Trefnydd and Chief Whip and the Counsel General continue to press the case for the Centre’s opening through regular engagement with UK Government Justice Ministers. Most recently, the Cabinet Secretary raised this with Lord Timpson on 25 February 2026.

Lord Timpson confirmed in that meeting that he is supportive of the Centre and is personally seeking to take this forward, although final collective decisions have not been taken. Lord Timpson also agreed that there is obvious synergy between the opening of the Centre and the ambitions of the UK Government’s National Women’s Justice Board, which is exploring alternatives to custody for women in the criminal justice system. Our officials continue to work closely with the UK Government to ensure the Centre remains a priority and is progressed as soon as possible.

- 6. The Lady Chief Justice told us in February that there is an “overwhelming operational case” for a new civil justice centre in Cardiff. What discussions have you had with the UK Government to ensure that work urgently progresses on the centre?**

The Counsel General and Welsh Government have been in discussion with the Ministry of Justice and HM Courts and Tribunals Service Wales over the past year and have proposed a number of options, some of which are understood to be under active consideration.

As responsibility for this area remains reserved, the Welsh Government is not party to all discussions. However, it is understood that detailed work is underway to assess the financial and infrastructure feasibility of potential options.

- 7. Does the Welsh Government still intend to publish a draft tribunals bill before the end of this term? If not please can you explain why this has not been possible?**

Work continues to prepare the Tribunals Bill, and our intention is to have a draft Bill ready for consideration by the government during the first year of the next Senedd.

The Bill will provide the legislative framework for the operation of the devolved tribunals system for many years to come. It is a very complex and substantial piece of legislation, and we are taking a careful and considered approach to its development to ensure it is both robust and effective.

Progress was also affected by the need to divert resources to an emergency Bill, which has now received Royal Assent as the Mental Health Review Tribunal for Wales (Membership) Act 2026.

The Commission on Justice in Wales

We would like to take this opportunity to comment further on the progress made in taking forward the recommendations of the Commission on Justice in Wales, in order to assist the Committee in forming a representative overview of the Welsh Government's significant work on implementation of the Commission's recommendations within our areas of responsibility. While we accept there are areas where we have not met all our aspirations, notable advancements have been made, even if arguments may be made that the recommendations in question have not been wholly completed.

For instance, in response to Recommendation 35 that Family Drug and Alcohol Courts should be established in Wales, the Welsh Government and partners funded a pilot in Cardiff and the Vale of Glamorgan, and the findings of that pilot are contributing to changes being rolled out across courts in Wales.

Similarly, there has been:

- a significant increase in the provision of legal apprenticeships in Wales (recommendation 40);
- considerable investment in legal technology (recommendation 43);
- activity to promote the Welsh legal sector (recommendation 44);
- greater transparency in procurement of legal services (recommendation 41); and
- significant progress towards tribunals reform, including the publication of a White Paper (recommendation 27).

The Welsh Government also took the lead on facilitating the creation of the Law Council for Wales (recommendation 65) and has put significant work alongside the Wales Governance Centre into recommendation 50, which sought improved Wales-specific data for evidence-based policymaking and research. This long-awaited dataset is now routinely published on GOV.UK: [Welsh Justice Data: Annual Release 2025](#), including an Excel file with detailed statistics.

However, as outlined to the Committee, it remains the case that the significant majority of the recommendations, including the most impactful of the recommendations, are ones which require the support and active participation of the UK Government. For our part, as spelt out in the scrutiny session, we have focused increasingly on preparedness for first steps towards the devolution of justice, in the areas of youth justice, probation and policing.

Sewel Convention

8. Can you provide an update on discussions relating to the memorandum of understanding on the Sewel Convention? When do you expect the Memorandum of Understanding to be finalised and published?

The Welsh Government has seen a marked improvement in respect for the Sewel Convention in the UK Government's approach during its current legislative programme.

The proposed Memorandum of Understanding provides an important opportunity to help safeguard the effective operation of the Convention and to establish a stronger, enduring precedent for respect for devolved legislatures. We, along with other Cabinet members, have raised the importance of the Sewel Convention directly with UK Ministers, emphasising the need for genuine strengthening and firm commitments to its operation, including consideration of procedural reforms to improve transparency.

As these matters are the subject of ongoing intergovernmental discussions, it is important to maintain confidence in four-nation engagement, and it would therefore be inappropriate to set out specific details at this stage. We remain keen to see an MoU agreed and published as soon as possible.

9. As the Sewel Convention is an inter-parliamentary convention, what role will the legislatures of the UK have in the Memorandum of Understanding?

The proposed Memorandum of Understanding will be an agreement between governments setting out how we approach our respective roles in the operation of the Sewel Convention. Noting that responsibility for the legislative programme in the UK Parliament rests with the UK Government, commitments by the UK Government will therefore be central to the effective operation of the Convention.

Legislatures are at the heart of the Sewel Convention, and we are keen to ensure that the Memorandum of Understanding strengthens respect for its operation in two key respects: firstly, by reinforcing the fundamental principle of the Convention; and secondly, by supporting the proper and effective functioning of the processes that give effect to the Convention.

10. The Welsh Government has been calling for the Sewel Convention to be placed on a “formalised statutory footing.” What would putting the Convention on a statutory footing look like? Has the UK Government been receptive to these suggestions?

There are a range of possible approaches to placing the Sewel Convention on a more formal footing, including those recommended by the Independent Commission on the Constitutional Future of Wales. Those recommendations were endorsed by both the Welsh Government and the Senedd, and it remains our long-standing view that greater codification of the Convention could provide stronger safeguards for devolution.

The UK Government has, to date, focused on agreeing a revised Memorandum of Understanding and on restoring a more consistent culture of respect for the Sewel Convention.

11. Based on your experiences in the Sixth Senedd, why does the Welsh Government believe placing the Convention on a statutory footing is necessary?

Experience under previous UK Government legislative programmes has demonstrated the difficulties and risks inherent in the current non-justiciable nature of the Sewel Convention. Where governmental will is lacking, the Convention does not in itself provide the legal or enforceable protection for devolved competence which we would like to see.

Yours sincerely,



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