

Jane Hutt MS

Cabinet Secretary for Social Justice, Trefnydd and Chief Whip

Dear Jane,

11 October 2024

## **Strengthening and Advancing Equality and Human Rights in Wales**

On 16 September we heard from Professor Simon Hoffman, Dr Sarah Nason and Charles Whitmore on equality and human rights in Wales. Both the transcript and a recording of the session are available [online](#). Professor Hoffman and Dr Nason had given evidence previously in November 2021 on their landmark Strengthening and Advancing Equality and Human Rights in Wales (SAEHR) report. Over three years since its publication we considered it to be an opportune time to explore progress with implementation.

### **General progress and implementation**

Our overall impression from the session was that only very limited progress has been made to date. In May 2022, the Welsh Government set out five action areas that addressed all the accepted recommendations of the SAEHR report.<sup>1</sup> We are concerned that on the basis of what we heard, few of the Welsh Government's aspirations are likely to be met.

1. We would welcome a comprehensive update on progress with delivery of each action area.

### **Transparency and accountability**

Our efforts to investigate progress were constrained by the lack of up-to-date, publicly available information. For example, at time of writing, [the SAEHR report page](#) had not been updated at all since its publication in August 2021.

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<sup>1</sup> Welsh Government, [Strengthening and advancing equality and human rights in Wales research report: Welsh Government response](#), 23 May 2022

In June 2022, you established a Human Rights Advisory Group (HRAG) and a Legislative Options Working Group (LOWG) to monitor and advise on the main streams of work you identified in response to the SAEHR report. We found that the Welsh Government's page on Human Rights was only published on 4 September 2024 and pages on HRAG and LOWG which included an incomplete set of minutes were first published on 11 September 2024. We are surprised that it would take so long to publish this information and fail to understand why only three sets of minutes for HRAG (for July 2022, December 2023 and February 2024) and one set for the LOWG (September 2022) have been published so far. We would welcome a more proactive and timely approach in future. **To improve transparency and accountability please could you provide the following:**

2. an explanation for the delay in publishing the pages and official minutes of the LOWG, and HRAG and the reasons why only three in the series have been published;
3. a copy of the terms of reference for the LOWG, its forward work programme, and associated timescales; and
4. a copy of the LOWG initial findings report on incorporation of human rights into Welsh law.<sup>2</sup>

## **Communications and awareness raising**

During the Committee session, and in their report, Professor Hoffman and Dr Nason emphasised that awareness of human rights is fundamental to good governance and democracy. In response to the SAEHR recommendations, the Welsh Government committed to publishing a "substantive Human Rights Communications Plan [...] as part of the first phase of action to be taken forward."<sup>3</sup> The report also called for better collaboration between the EHRC, Future Generations Commissioner and Law Society in promoting the human rights agenda.

In light of the above we would welcome:

5. an update on the Human Rights Communications Plan: how it was developed, its current status and the latest copy for our consideration;
6. a progress update on the recommendations relating to collaboration between the EHRC, Future Generations Commissioner and the Law Society including details of Welsh Government involvement (of ministers and officials) in facilitating these.

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<sup>2</sup> European Human Rights Law Review, [Evolved and Devolved](#), Professor Simon Hoffman,

<sup>3</sup> Welsh Government, [Strengthening and advancing equality and human rights in Wales research report: Welsh Government response](#), 23 May 2022

## Resources

Observing our disappointment at the lack of progress particularly with regards to legislative incorporation, LOWG Chair, Charles Whitmore, suggested it was partly due to a lack of dedicated resource.<sup>4</sup> We were surprised by this claim especially given the importance attached to Programme for Government commitments and would therefore welcome a breakdown of the resources allocated to this workstream over the last three years. **Specifically:**

7. how many civil servants have been allocated to support delivery of the commitments made in response to the SAEHR report to date;
8. an outline of future resources allocated to support delivery of the commitments made in response to the SAEHR report;
9. a summary of the total resources allocated in each Financial Year (both human and financial resource), and a summary of roles and remits;
10. a summary of their activity and achievements broken down by Financial Year, and
11. whether the Cabinet Secretary is assured that the right performance framework is in place to measure progress and ensure delivery?

## Rest of the Senedd term

Dissolution of the Fifth Senedd is scheduled for April 2026, barely 18 months away. A key commitment of the Programme for Government is the incorporation of both the UN Convention on the Rights of Persons with Disabilities (UNCRDP), and the Convention on the Elimination of Discrimination against Women (CEDAW) into law. Given the amount of time it normally takes for a Bill to be passed by the Senedd it would be helpful to understand how the Government intends to achieve these aims in the remaining time available.

We would therefore welcome:

12. A detailed breakdown of the actions the Welsh Government intends to take between now and the end of the Fifth Senedd;
13. An Oral Statement to the Senedd on incorporation of human rights into legislation generally and of the UNCRDP and CEDAW, specifically.

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<sup>4</sup> Equality and Social Justice Committee, paragraphs 28, 46, 52, 16 September 2024

A copy of this letter will be shared with witnesses from the 16 September session and I shall be writing in similar terms to the EHRC, Law Society and the Future Generations Commissioner to request an update.

I would welcome a response by 8 November 2024.

Yours sincerely,

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

Jenny Rathbone MS

Chair of the Equality and Social Justice Committee

Welsh Parliament

URL: <https://www.gov.wales/strengthening-and-advancing-equality-and-human-rights-wales>

RESEARCH

# Strengthening and advancing equality and human rights in Wales



This research examines legislation and guidance in Wales to explore and recommend options to strengthen and advance equality and human rights.

**i** This is the latest release

Released: 26 August 2021 | Last updated: 26 August 2021

The report details research that was commissioned as part of the Welsh Government's commitment to developing a clear approach in Wales to ensuring equality and human rights are fully considered and protected.

The research findings outline mechanisms to strengthen and advance equality and human rights in Wales, with the report including 40 recommendations for legislative, policy, guidance, or other reforms to meet this objective. Each recommendation, most of which are for the Welsh Government but with some applicable to public authorities, the EHRC, Welsh Commissioners, regulators and inspectorates, the Law Society, and any future Law Council for Wales, includes detailed steps to progress toward the main recommendation.

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URL: <https://www.gov.wales/human-rights-wales>



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POLICY AND STRATEGY

## Human rights in Wales

**What we are doing to strengthen and improve human rights in Wales.**

Part of: [Human rights](#)  
First published: 4 September 2024  
Last updated: 4 September 2024

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## Introduction

The Welsh Government has a legal obligation to respect, protect and fulfil human rights.

URL: <https://www.gov.wales/human-rights-wales#153341>

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# Human Rights Advisory Group

## What we do

The Human Rights Advisory Group advises and monitors progress on the actions we are taking. The quarterly meetings are chaired by Cabinet Secretaries.

### CATEGORY

#### Publications

### LATEST

#### Human Rights Advisory Group meeting: 8 February 2024

8 February 2024 Meeting

#### Human Rights Advisory Group meeting: 6 December 2023

6 December 2023 Meeting

#### Human Rights Advisory Group meeting: 26 July 2022

26 July 2022 Meeting