

## **Agenda – Equality and Social Justice Committee**

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Meeting Venue:

**Committee Room 5**

Meeting date: 14 November 2022

Meeting time: 13.30

For further information contact:

**Rachael Davies**

Committee Clerk

0300 200 6565

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### **Pre-meeting registration (13:00–13:30)**

#### **1 Introductions, apologies and substitutions**

(13:30)

#### **2 Women's experiences of the Criminal Justice System – evidence session two**

(13.30–14.45)

(Pages 1 – 32)

Fair Treatment for Women in Wales – Dee Montague-Coast

Public Health Wales (Adverse Childhood Experiences Hub) – Jo Hopkins

UK Health Security Agency – Dr Chantal Edge

### **BREAK (14.45–15.00)**

#### **3 Women's experiences of the Criminal Justice System – evidence session three**

(15.00–16.00)

(Pages 33 – 64)

His Majesty's Prison and Probation Service – Nicola Davies and Victoria Harries



Deputy Police and Crime Commissioner for South Wales and Chair of the Women in Justice in Wales Group – Emma Wools

#### **4 Papers to note**

(16:00)

##### **4.1 Correspondence from the Chair of the Legislation, Justice and Constitution Committee to the Chair regarding correspondence from the Wales Governance Centre**

(Pages 65 – 70)

##### **4.2 Correspondence from the Chair of the Children, Young People and Education Committee to the Minister for Social Justice regarding the Draft Budget 2023–2024**

(Pages 71 – 72)

##### **4.3 Correspondence from the Chair of the Children, Young People and Education Committee to the Minister for Health and Social Care, the Deputy Minister for Social Services and the Deputy Minister for Mental Health and Wellbeing regarding the Welsh Government Draft Budget 2023–2024**

(Pages 73 – 80)

#### **5 Motion under SO17.42 (vi) and (ix) to exclude the public from the remainder of the meeting**

(16:00)

#### **6 Women's experiences in the criminal justice system – consideration of the evidence**

(16:00–16:30)

#### **7 Forward Work Programme**

(16.30–16.45)

(Pages 81 – 90)

Document is Restricted

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Profiadau menywod yn y system cyfiawnder troseddol](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Women's experiences in the criminal justice system](#)

WECJS 08

Ymateb gan: Trinaeth Deg I Ferched Cymru | Response from: Fair Treatment for the Women of Wales

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**Evidence to Senedd Equality & Social Justice Committee**  
**Inquiry into the experiences of women in the criminal justice system**

**Name of organisation:** FTWW: Fair Treatment for the Women of Wales

**Email address:** [info@ftww.org.uk](mailto:info@ftww.org.uk)

FTWW is the only patient-led women's health equality charity in Wales, supporting and advocating for women and people assigned female at birth who are disabled and / or living with long-term health conditions in Wales.

**This Evidence paper will focus on the availability of appropriate custodial provision and support for disabled\* women, and those experiencing mental health problems**

*\*It is important to be clear that many of those living with long-term or recurrent, often invisible, health conditions, may not identify as disabled, often because of historic misconceptions about what being disabled 'looks like' or a reluctance to use a term that is still mired in prejudice and linked to discrimination. Regardless, within the parameters of the Equality Act 2010, a person is disabled if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.*

1) Despite efforts to promote positive messaging about disability, ableist attitudes persist in our society and the criminal justice system is just one sector of that. A

lack of awareness of the varying types and impact of impairment, the needs of disabled people and a failure to offer appropriate support have the potential to make custodial settings particularly challenging for those affected. 'Too often, the police present an added danger to disabled people. Deaths in custody of people with mental distress is a persistent injustice. A total of 23 people died in or after detention from 2017 to 2018, with official police figures recording more than half were people with mental health conditions such as psychosis, depression and self-harm and 18 had drug or alcohol dependency'.<sup>1</sup>

2) A key issue highlighted in research on disabled women's experiences of the criminal justice system is that of ableism within those settings, for example when reporting domestic violence / abuse. Across society, a commonly-held trope is for non-disabled people to be considered 'heroic' for putting up with their disabled partners, an unconscious bias which has the potential to prejudice decision-making – including, potentially, on the part of law enforcement. It is vitally important that training is undertaken to help those working in these settings to identify and challenge unconscious bias, particularly in the context of providing support for disabled / chronically unwell women, including those for whom their impairment is linked to mental health or neurodivergence.

3) In terms of the availability of appropriate custodial provision and support for disabled women, mandatory training on disability awareness should be provided. This should widen participants' understanding of the multifarious ways in which impairments present, including an appreciation of 'invisible' illness alongside the more traditional conceptualisation of disability. It should also incorporate female-specific health issues which can have a substantial and long-term negative effect on wellbeing, such as menstrual / gynaecological conditions like heavy menstrual bleeding, polycystic ovary syndrome, endometriosis, menopause, and hormone-mediated mental health disorders like premenstrual exacerbation, and premenstrual dysphoric disorder.

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<sup>1</sup> Clifford, E., 2021. *The War On Disabled People*. [S.l.]: Bloomsbury Academic, p.52.

4) Typically, the seriousness of health conditions like those listed above is frequently under-estimated, with sufferers describing their symptoms and the impact of them as being dismissed or diminished by those around them. Training should go some way to addressing these prejudicial attitudes and, by working co-productively with disabled women more generally, explore practical measures and support which would ensure that women living with these health conditions do not experience an exacerbation of symptoms and associated negative impact on their wellbeing or dignity whilst in custody.

5) Practical support may include easy access to a range of period products, and careful consideration of toilet and washing facilities. People experiencing heavy menstrual bleeding, pelvic pain, and bowel / bladder dysfunction may well need to spend longer than the average amount of time using the toilet and they need to be assured of some degree of privacy. Toilets need to be accessible and kept to a high standard of cleanliness to cater for a range of impairments, some of which may require a shelf / dedicated space for equipment like catheters, as well as sufficient room for wheelchairs or mobility aids, and a bell pull or other means to communicate with custodians in case of problems.

6) Where necessary, reasonable adjustments should be made for those in custody with physical impairments that might be negatively impacted by regimes in which non-disabled people in custody are routinely expected to participate. Physical exercise, for example, can make symptoms of invisible conditions like myalgic encephalomyelitis (ME) worse, and can also impact negatively on pain and chronic fatigue associated with conditions such as fibromyalgia and hypermobility spectrum conditions, all of which disproportionately affect females. There is a strong correlation between worsening physical symptoms and deteriorating mental health so both awareness and active prevention is key to ensuring inmates' wellbeing.

7) Alongside increased recognition and support for physical health, it is also vital that service-providers / staff in the criminal justice system are cognisant of the increased risk women face for long-term mental health disorders. Women are

significantly more likely than men to be living with anxiety, depression, obsessive compulsive disorder, eating disorders, self-harm, and chronic post-traumatic stress disorder. In fact, studies demonstrate that women in prison are more likely to have mental health problems than both the general population and male prisoners, including high rates of post-traumatic stress disorders. Trauma are indirectly and directly linked to criminal pathways and to both mental and physical illness<sup>2</sup>, so it is vital that custodial settings avoid perpetuating triggers and compounding disability. Not only could this lead to additional personal stress for the woman affected, but it could also create conflict situations and lead to extended periods in custody.

8) When it comes to historic trauma, autistic and neurodivergent people, particularly women, are at a significantly higher risk<sup>3</sup>. At the same time, diagnosis of autism and other neurodevelopmental issues like attention deficit disorder (ASD) are typically delayed for females, beyond what their male equivalents will likely experience. 'Masking' is a common phenomenon in autistic women but, on the flip side, the mental effort required to disguise extreme emotion and appear 'neurotypical' can lead to episodes of considerable distress known as autistic meltdowns. Communication can be one area most likely to cause mental and physical strain for autistic women, even where they have appeared capable before.

9) Again, staff training is key, ensuring that autistic women's needs are widely understood and accepted. Those in custody should be enabled to utilise alternative communication methods if needed and supported when tension has built up to the point where stimming or repetitive movements occur. Where possible, allowing the person to self-regulate is important, alongside staff creating and maintaining an understanding and reassuring presence. This is where training will likely be needed and would also be of benefit to other disabled women who may experience sensory processing issues because of their symptoms or an overload of stress / activity, for example those with myalgic encephalomyelitis

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<sup>2</sup> [https://www.euro.who.int/\\_data/assets/pdf\\_file/0006/249207/Prisons-and-Health,-18-Womens-health-and-the-prison-setting.pdf](https://www.euro.who.int/_data/assets/pdf_file/0006/249207/Prisons-and-Health,-18-Womens-health-and-the-prison-setting.pdf)

<sup>3</sup> <https://neurodivergentinsights.com/misdiagnosis-monday/ptsd-and-autism>



(ME) or 'brain fog', the latter of which is a symptom of many impairments, including fibromyalgia, even menopause.

10) To conclude, raising awareness of the various forms of mental and physical illness, their presentation, and avoidance of exacerbations should make up part of any mandatory training for service-providers / staff in the criminal justice system. Furthermore, prison settings may provide a useful opportunity to expedite diagnoses and provision of appropriate care packages that could see women better equipped to manage their health and avoid linked offending activity when they are released. Given the high numbers of women affected by psychiatric disorders, and moves in Wales towards embedding rehabilitation within the criminal justice system, increased mental health support and provision of psychological interventions would be prudent<sup>4</sup> alongside considered and mutually agreed reasonable adjustments for those living with physical impairments.

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<sup>4</sup> <https://www.cambridge.org/core/journals/the-british-journal-of-psychiatry/article/challenges-and-mental-health-needs-of-women-in-prison/CC806EAA2511BB16E5C823943476FDBE>

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Profiadau menywod yn y system cyfiawnder troseddol](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Women's experiences in the criminal justice system](#)

WECJS 15

Ymateb gan: Iechyd Cyhoeddus Cymru | Response from: Public Health Wales

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## Public Health Wales Response to Senedd Equality and Social Justice Committee

### Consultation - Experiences of the criminal justice system: women's experiences in the criminal justice system

1. Name:

Joanne Hopkins, Programme Director, Adverse Childhood Experiences, Violence Prevention, and Criminal Justice, Public Health Wales

2. Email address:

[REDACTED]

3. In what capacity you are responding to this consultation?

Individual responding on behalf of an organisation

**Please find our response to the consultation under each of the headings set out in the Terms of Reference.**

#### **4. The progress being made, if any, by the Welsh Government in realising its ambitions for the transformation of services for female offenders including implementation of the Female Offending Blueprint;**

4.1 Public Health Wales has been involved in the development of the Female Offending Blueprint, in a number of ways since its inception. We are very pleased to note that the name of the Blueprint was changed to the Women's Justice Blueprint reflect the more positive language we collectively use in Wales regarding women who offend, and recognising that offending is often linked to structural inequality and adversity and trauma in their lives. The change in name also reflects our values around strengths based approaches that are inclusive and trauma informed. Our involvement with the Blueprint has included providing workshops and advice at the first Female Blueprint Summit in 2019 on the impact of Adverse Childhood Experiences and trauma informed support for women, as well as ongoing research and evaluation support, including for the last two years overseeing a specific research officer for the Women in Justice Blueprint, who in the last 12 months has been hosted by Public Health Wales.

4.2 The Programme Director for Adverse Childhood Experiences (ACEs), Criminal Justice and Violence Prevention has had a lead role in the Research and Evaluation Work strand of the Women in Justice and Youth Justice Blueprints. The Programme Director also attends the Programme Board and provides additional support from her previous expertise in leading on Violence Against Women and Girls in the Home Office and as policy lead for Violent Crime. In the Research and Evaluation Work stream we can confidently report that there has been considerable progress; in particular with the completion of the two major externally funded reports that support both Blueprints: The Cordis Bright Evaluation of Women's Pathfinder and 18-25 Early Intervention Service, and the ORS Blueprint Evaluability Assessment. Both documents are already informing the future work of the Blueprints.

4.3 This year our ACE Support Hub Wales, funded by Welsh Government and hosted by Public Health Wales since 2017, published a co-produced National Trauma Practice Framework for Wales. For more information on this please see [www.traumaframeworkcymru.com](http://www.traumaframeworkcymru.com). The work developed by the Women's Justice Blueprint in developing a psychological model of support for women, which is now informing the pilot of gender sensitive and trauma-informed training for HMPPS and partners. The

ACE Hub Wales is currently evaluating this training to support wider roll out across Wales. We are also pleased to see other products that align to the principles of the Trauma Practice Framework including the development of an engagement model to inform the approach of engaging women with experience in the blueprint development, particularly from racially minoritised communities. A language and terminology guide clarifying what language we use and why, is a ground breaking document that should be replicated across public service in Wales in line with the Welsh Government anti-racism plan. And we are pleased to see plans to evaluate the 'Visiting Mums' service which will support Welsh mothers to maintain positive relationships with their children throughout their prison sentence. The Visiting Mum project is jointly funded by Welsh Government and HM Prison and Probation Service.

4.4 The ACE Hub Wales is currently finalising an important piece of research, funded by the Welsh Government Children and Families' Division on the experience of ACEs of women who are on the cusp of the criminal justice system. This work has engaged directly with women to identify what their experiences were before and during early engagement with the CJS, and what opportunities there are for prevention. It is currently informing work across all the work streams, but particularly the Early Intervention and Prevention Work stream.

4.5 There is still more to do, and Public Health Wales remains committed to our involvement in the Women's Justice, Youth Offending and developing Violence Against Women Blueprints with opportunities to further align the work we do in the ACE Hub Wales and in the Violence Prevention Unit, which will provide further opportunities to develop the evidence base and a trauma-informed, public health approach to supporting Women in Justice in Wales. As well as of course the provision of expert advice and support on health protection, mental health and wellbeing, substance misuse and behavioural insights, and wider contributions on health equality, the wider determinants of health. We also support learning from the international space through our connections from the World Health Organisation (WHO) Collaborating Centre with WHO in Europe and globally and continue to showcase this work in Wales at the international conferences and events around Law Enforcement and Public Health (LEPH).

## **5. The evidence for the development of Women's Rehabilitation Centres and arguments for reducing custodial sentences for women in Wales, including views on the Women's Centre that will open in Swansea;**

5.1 Public Health Wales has supported the approach and arguments put forward for reducing custodial sentences for women in Wales and the need for the development of Women's Rehabilitation Centres (WRCs) as an alternative to custodial sentences in appropriate cases. We support the plans to develop the Women's Centre in Swansea and appreciate the sensitivity around finding a suitable venue and engaging the local partners and community in doing so. We welcome the opportunity for Women in Wales to stay in Wales, remain closer to family, children and their communities, particularly if they are Welsh language speakers.

5.2 In particular, our Health Protection Team is keen that the provision of health services for women in RCs in Wales improves the current provision for women in prison in England. Women in WRCs in Wales should be informed and able to access testing, abortion care and contraception (all options) in the same way they would be able to in the wider community. Other areas to consider would be period dignity and menopause. We would regard it as a missed opportunity if there isn't lessons

learnt applied to the planning for the centre in Swansea from the experience of accessing these services in particular in Wales. Likewise we hope that the publication of the National Trauma Practice Framework will support the development of the Swansea WRC as trauma informed from the start, building in relevant training, expertise and support for the women depending on their needs and taking into account the principles of the framework.

**6. The availability of appropriate custodial provision and support for different groups of women including girls under the age of 18, disabled women, those with mental health problems, women from ethnic minorities, those who have experienced sexual violence or domestic abuse, women with alcohol or drug problems and Welsh speaking women.**

6.1 Public Health Wales is involved in a number of work strands and programmes that are seeking to address the needs of women from these different groups; but some are outside of the Women in Justice Blueprint. For example, under the Criminal Justice in Wales work Jo Hopkins leads the Early Intervention and Prevention work strand that is prioritising work on Brain Injury and women in the CJS, which directly links to all of the above given that we know Brain Injury sufferance by women in Justice is often as a result of violence against women. There is also extensive work that can be drawn on from team in the Violence Prevention Unit, including What Works to Prevent Violence Against Women Domestic Abuse and Sexual Violence ; A systematic Evidence Review published in 2021 [https://www.violencepreventionwales.co.uk/cms-assets/research/What-Works-to-Prevent-Violence-against-Women-Domestic-Abuse-and-Sexual-Violence-Systematic-Evidence-Assessment\\_2021-09-20-124755\\_aypz.pdf](https://www.violencepreventionwales.co.uk/cms-assets/research/What-Works-to-Prevent-Violence-against-Women-Domestic-Abuse-and-Sexual-Violence-Systematic-Evidence-Assessment_2021-09-20-124755_aypz.pdf)

6.2 There are also extensive links to be made with our ACE Hub Wales work substance misuse and mental health services in Wales to develop a trauma informed substance misuse sector, and opportunities to develop further our work on racial trauma through the recently launch Wales anti-racism plan for the CJS As stated above we hope that lessons will be learned from the implementation of custodial provision and support in England to ensure that women in Wales have access to the services they need. We look forward to being part of the partnership arrangements to support this going forward through the implementation of the Women in Justice Blueprint and the forthcoming Violence against Women Blueprint which will be critical is ensuring join up and systematisation of support and provision for Women in Wales who are in the WRC and in the custodial arrangements in England. We also continue our involvement in the Welsh Government Prison Health and Social Care oversight group and provide important contributions on how the triple challenge of Brexit, COVID -19 and Climate Change and the Cost of Living impact on Women in Welsh communities, on the cusp of the CJS as well as services available to them both in those communities in the WRC and in the wider custodial settings.

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Profiadau menywod yn y system cyfiawnder troseddol](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Women's experiences in the criminal justice system](#)

WECJS 19

Ymateb gan: UK Health Security Agency | Response from: UK Health Security Agency

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# Evidence submission - Women's Experiences Across the Criminal Justice System

**Dr Chantal Edge PhD FFPH FFLM**, Consultant in Public Health, UKHSA Vulnerable People and Inclusion Health, National Health and Justice Team

For consideration on the availability of appropriate custodial provision and support for different groups of women including girls under the age of 18, disabled women, those with mental health problems, women from ethnic minorities, those who have experienced sexual violence or domestic abuse, women with alcohol or drug problems, and Welsh speaking women.

## **To Note**

This submission from the UK Health Security Agency (UKHSA) has been supplemented with data and information from NHS England (NHSE) and the Office for Health Improvement and Disparities (OHID). This has been indicated as relevant throughout.

The evidence submitted within this briefing relates to English prisons, acknowledging that Welsh female offenders are held within English establishments as there are no female prisons in Wales. The data contained within this report does not relate solely to Welsh women, but rather to women in English prisons, which will include Welsh women.

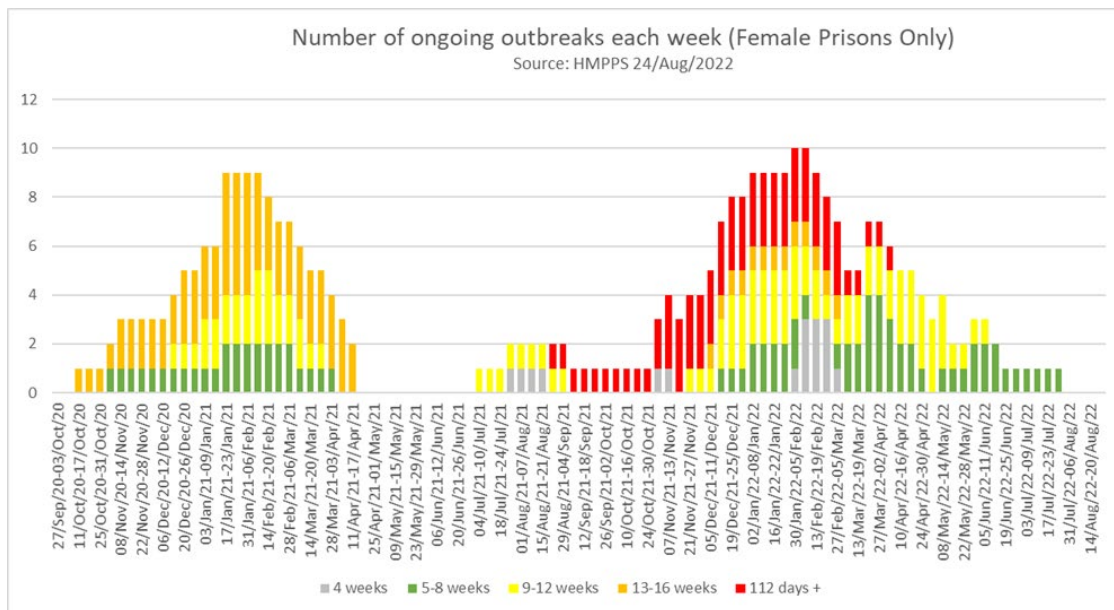
## 1. Female prisons in England

- 1.1 There are currently 12 female prisons in England
- 1.2 The majority of Welsh women will start their period of prison residence in either HMP Eastwood Park or HMP Styal given their proximity to Wales. Women will however potentially progress to other prisons dispersed around England to access relevant support services they require, meaning they may be housed a substantial distance from their home and family in Wales.

## 2. COVID-19 in English women's prisons (UKHSA data)

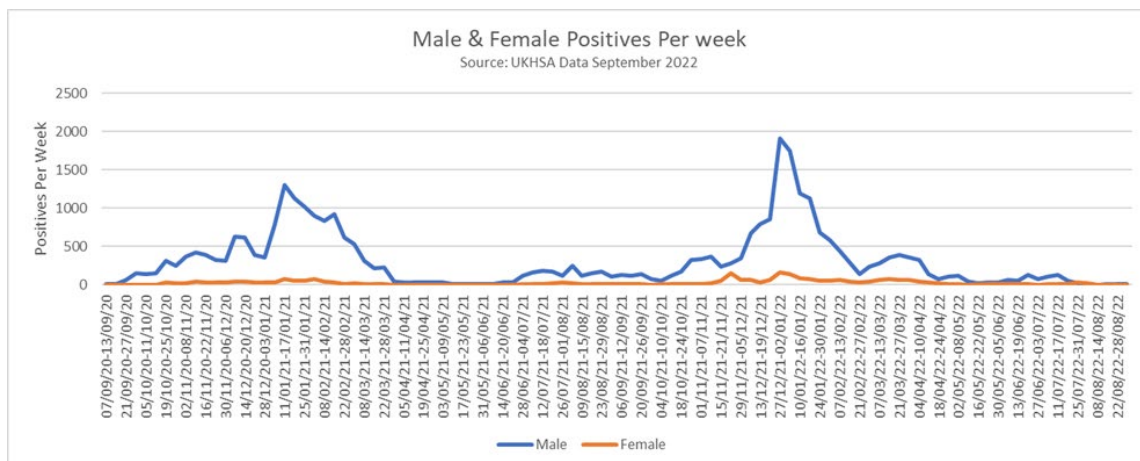
2.1 Graph One shows the number of female prisons that were recorded as being in outbreak, colour coded by the eventual length of the outbreak. It shows that even though the Omicron variant was less severe, it still resulted in a comparable number of female prisons dealing with outbreak control for long periods. (Data supplied by HMPPS.)

2.2 **Graph One:** Number of ongoing outbreaks of COVID-19 in Female prisons - by date and differing outbreak length



2.3 Graph Two shows that there were lower numbers of positives tests from female prisoners. In the time period 28/09/20-28/03/21 female positives made up 5.2% of the total. Interestingly, this changed over time, with the Omicron wave seeing 7.8% of all positive tests from female prisoners.

2.4 **Graph Two:** Male & Female Positives per week





2.5 Data indicates that female prisoners make up 4% of the prison population.

[1] Time period

Date	Male	Female	% Female
28/09/20-28/03/21	13601	741	5.2%
15/12/21-28/02/22	9367	792	7.8%

[1] [population-bulletin-230922.ods \(live.com\)](https://population-bulletin-230922.ods.live.com)

2.6 UKHSA national Health and Justice (H&J) team is responsible for the provision of guidance relating to infectious disease management in prisons and other places of detention (PPDs). Since the start of the COVID-19 pandemic the UKHSA H&J team has produced numerous iterations of COVID-19 PPD management guidance in line with national policies (e.g. testing policies), the latest version of which can be seen here: [Preventing and controlling outbreaks of COVID-19 in prisons and places of detention - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/preventing-and-controlling-outbreaks-of-covid-19-in-prisons-and-places-of-detention) UKHSA H&J team have also recently produced PPD guidance for monkeypox in response to the rise in cases in England, and routinely provide updated guidance for diseases such as seasonal influenza and other acute respiratory infections. UKHSA H&J aims to provide a senior member of staff to every prison outbreak control meeting in England to ensure consistency of advice and guidance for PPD settings. Outbreak meetings attended are varied in nature, for example including COVID-19, influenza, scabies, norovirus or tuberculosis (TB).

2.7 UKHSA H&J have contributed recently to the BASHH working group producing new sexual health standards for prisons. UKHSA H&J continue to provide oversight of the PPD opt-out bloodborne virus programme in partnership with the UKHSA Blood Safety, Hepatitis, Sexually Transmitted Infections (STIs) and HIV Division, and work closely with the UKHSA TB unit on surveillance and guidance for PPD settings.

2.8 UKHSA H&J experience challenges in understanding fully infectious disease data relating to PPD settings given that national UKHSA databases may not be able to easily distinguish cases in prison settings or to follow individuals from prisons through to community datasets to see outcomes of treatment.

### 3. Female Prison Estate - Adult Substance Misuse Population Profile (OHID data)

3.1 Substance misuse services provided to English prisons follow the English national Health and Justice service specification and may differ to services available to women in the community in Wales, potentially impacting service continuity on entrance into or exit from prison.

3.2 Data from the National Drug Treatment and Monitoring System (NDTMS) is available for women's prisons for the period Apr 21-Mar 22 and has been provided by OHID for this submission. Data from HMP Peterborough was not included in the analysis as data returns were incomplete. [REDACTED]

#### 3.3 Prisons which are likely to hold a high proportion of Welsh women:

- notably have some of the highest caseloads for opiate, non opiate, alcohol and alcohol & non-opiate treatment
- have large numbers of women who reported having never been employed or employed for less than a year. HMP Eastwood Park has a large number of women who are pregnant and in treatment
- are some of the poorest performers for successful Community Treatment Provider Pick Up into Treatment from Prison Referrals
- have some of the lowest performance for successful completion of treatment for drugs and alcohol

#### 3.4 Key points on Women's prisons

- opiate users make up around 64% of all treatment users in the women's estate – much higher than the male estate which is around 50% of all treatment users
- some prisons have far higher numbers of women receiving treatment related to substance use than others
- women aged 30-44yrs make up the highest proportion of opiate users in treatment, 30-39yrs for non-opiate users, 25-39yrs for alcohol and non opiate users and 30-44yrs for alcohol users in treatment
- some prisons have a large number of women who are pregnant and in treatment
- there were large numbers of women who reported having never been employed or employed for less than a year
- the number of women completing treatment to become drug free are highest in HMP Bronzefield, and the highest number completing alcohol treatment to become alcohol free in HMP & YOI Low Newton

#### 4. Cervical screening - UHSA/University of Southampton initial findings from an audit of English women's prisons

4.1 UKHSA and the University of Southampton have been working in partnership to undertake an audit of cervical screening amongst female English prisons. (Completed in 10/12 women's prisons to date; audit headings include questions around the population, coverage, uptake, testing, diagnosis, referrals and treatment). Full audit findings have not yet been published.

4.2 Generally, women are keen to receive medical care and screening – with some women actively asking for cervical screening. After initial review of results, it appears that most achieve the 75% good level and 80% optimal, however, there are gaps in provision and room for improvement.

4.3 Some anecdotal evidence of good practice to raise awareness/increase uptake include

- having longer appointment times /not being restricted with how long they can speak to the women to provide reassurance
- having a noticeboard in the waiting room where women can post about their cervical screening experiences (generates conversations between women whilst they are waiting and provides reassurance)
- having access to smaller speculums, particularly relevant for those who have experienced sexual violence
- working with mental health and learning disability team to explain and undertake swabbing
- simplifying the letter to explain that the result in negative means it is normal

4.4 Suggested areas for development from the audit (as yet unpublished)

- Healthcare (HC) teams do not all have access to OpenExeter which is the National English recall system so they cannot see when the women last had their smear, they then also have to rely on their own recall systems – ideally all relevant healthcare staff should have access to the National recall system
- some laboratories do not accept smears if they are earlier than their repeat date (even if only 2 weeks early) – HC team report women use prison stay as catch-up time for their health and request check-ups so those HC teams that are able to have opportunistic swabbing tested feel it is beneficial – **ideally where women are uncertain about last test and have no record on the system then they should be swabbed and sample analysed, this may require changes from the English national screening programme**
- NHS leaflets and posters and used, but these are in English and not translated - **Translate this information**
- leaflets should be adapted to ensure they are reading age appropriate
- one prison discussed disability access being in place, however, in this audit it was not clearly discussed - **Disability access should be explored further in future audits**

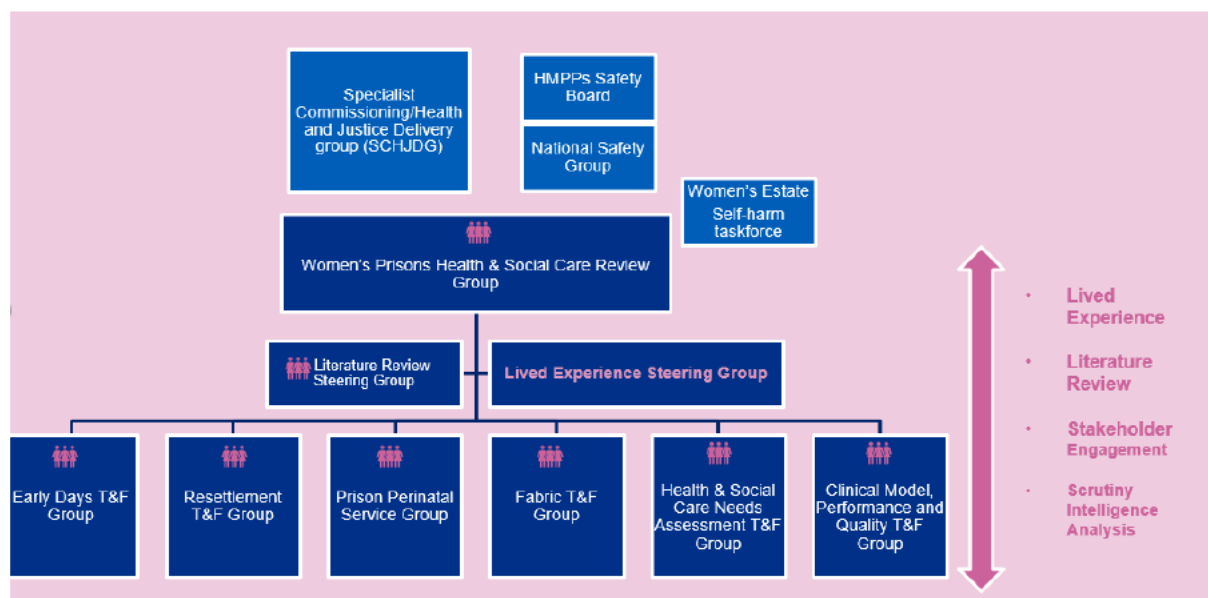
## 5. Evidence from the National Women's Prisons Health and Social Care Review (NHS England evidence)

5.1 The National Women's Prisons Health and Social Care Review (Women's Review) is a partnership between NHS England and NHS Improvement (NHSE/I), and Her Majesty's Prison and Probation Service (HMPPS) and has been jointly commissioned by them. The Women's Review began in January 2021 and will report in Autumn/Winter 2022.

5.2 The purpose of the Women's Review is to improve health and social care outcomes for women in prison and upon their release, to reduce inequalities and ensure equity of access to the full range of health and social care services for all women across the Women's Estate.

5.3 Membership of the Women's Review comprises senior representatives from across health, justice and social care, third sector organisations and women with lived experience. The Women's Review is committed to ensuring that women with lived experience play a key role in shaping our workplan and recommendations. At this stage of the Women's Review, it is not possible to provide a comprehensive, evidence-based response as review findings are not yet published. Comments made do not provide a single view from the membership of the Women's Review or definitive conclusions.

### 5.4 Workstreams in the Women's Prison Health and Social Care Review



# Agenda Item 3

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Profiadau menywod yn y system cyfiawnder troseddol](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Women's experiences in the criminal justice system](#)

WECJS 18

Ymateb gan: Gwasanaeth Carchardai a Phrawf EM yng Nghymru | Response from: HM Prison and Probation Service Wales

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Gwasanaeth Charchardai  
a Phrawf EM yng Nghymru

HM Prison & Probation  
Service in Wales

**29/09/2022**

**Sent via email**

To the Equality and Social Justice Committee,

**Re: HMPPS in Wales Response to the Inquiry into Women's experiences of the Criminal Justice System.**

Thank you for the opportunity to input into your inquiry considering Women's experiences of the Criminal Justice System.

At HMPPS in Wales, we know that the needs of people entering the Justice System are complex, and that often vulnerable people will enter the system and require support to make better choices and break cycles of offending. This becomes even more important when we consider women in the Justice system.

We know that often women who commit crimes have very complex and multi-levelled needs, including managing mental health problems, struggling with self-harm, and handling difficult family lives. Many experience chaotic lifestyles which are often the product of a life of abuse and trauma, with around 60% of female offenders having experienced domestic abuse. These challenges become even harder for women that are under 18, disabled, struggling with multiple health issues, from an ethnic minority, who have experienced sexual violence or abuse or are battling with drug and alcohol problems.

In Wales, there is also the additional challenge of not having a prison close to home, with the average female prisoner being located 100 miles away from their families. This requires a higher level of interventions to maintain links with families and local communities, including access to housing and healthcare on release.

We cannot meet this challenge alone, and work closely with the Welsh Government, Police and Crime Commissioners, Area Planning Boards, Third Sector Organisations, and others to create networks of support that women can use as a platform to improve their lives.

Please find below our evidence for your inquiry. Do not hesitate to get in touch if you have any additional questions.

We look forward to continuing to work in partnership to improve the lives of women in the Justice System, as well as to support victims of crime.

Yours sincerely,

**Chris Jennings**  
**Exec Director**  
**HMPPS in Wales**

## 1. The Female Offending Blueprint

The Ministry of Justice (MoJ) and Welsh Government Women's Justice Blueprint (2019) has been created to transform the support available to women in Wales who are in, or at risk of entering, the Criminal Justice System. The blueprint prioritises safety, reducing reoffending and addressing gaps in interventions for women at all levels of the system. Together, we want to reduce the number of women in prison and on probation, alongside creating a strong network of organisations ready to help the women and families who are already in the system. As part of this work, we are also creating a new evidence base to inform the project as it grows and develops.

### 1.1 Women's Pathfinder Whole System Approach (and 18-25 Early Intervention Service)

In partnership with the South Wales Police and Crime Commissioner, Gwent Police and Crime Commissioner and the Welsh Government, we have created the Women's Pathfinder Whole System Approach and 18-25 Service. Together, we have identified a lack of support for women who are not in scope of statutory services, with help only available following more significant offending.

This project identifies and fills these gaps in support for women across all stages of their interaction with the Criminal Justice System, with a focus on key transition points at entry and exit. Key services introduced as part of this approach includes:

- **An early intervention and prevention service** (for those outside the scope of statutory services).
- **A function to join up agencies and stages of the system** through:
  - Supporting transition arrangements and providing continuity throughout the system.
  - Coordinating the multi-agency response to support where more than one agency is involved with a service user (on an individual case basis).
- **The Y2A pathway** which helps young females aged 16-17 who are being supported by Youth Offending Services or are transitioning to adult services in Cardiff, Bridgend, Cwm Taf and Gwent.
- **The BAME pathway** which provides frontline specialist support and a tailored early intervention service to BAME women involved with or at risk of involvement with criminal justice services.
- **A Mentoring service** which introduced a new Safer Wales Volunteer and Mentor Support Officer to provide additional support to develop, recruit, train, and place volunteer mentors within the service.
- **IDVA/IDSA** that provides support for Welsh women in prisons in England (HMP Styal and HMP EWP) who are resettling back into Wales.
- **Transport for Wales Employment pathway** that works with probation and Transport for Wales to design an employment pathway for women in contact with the justice system.

- **The Revolving Door pilot** - a joint initiative involving South Wales Police, Office of the Police and Crime Commissioner for South Wales, Gwent Police, Office of the Police and Crime Commissioner for Gwent, HMPPS and Future4. The pilot provides a targeted approach for those who have committed a number of low-level offences and where there is risk in escalation of offending behaviour. The pilot was launched from July 2021.
- **Increased support for Women in North Wales.** In Dyfed Powys, the 'Offender Diversion Scheme' funded by the Dyfed-Powys Police and Crime Commissioner went live in November 2019, with intervention support provided by Pobl. The 'Checkpoint' diversion scheme also went live in November 2019, funded by the North Wales Police and Crime Commissioner. Both diversion schemes incorporate specific support pathways for women. The of volume of diversion referrals across North Wales can be found in Annex A (5.3)

A breakdown of the number of women supported by the Women's Pathfinder WSA can be found in Annex A (5.1).

## 1.2 Key recommendations

- **Expand the Women's Pathfinder Whole System Approach Service across Wales.** An independent evaluation of the Women's Pathfinder WSA and 18-25 Early Intervention Service undertaken by Cordis Bright (2022) found that women using the service would likely not have had any other support during that stage of their involvement with the CJS. The women involved felt more comfortable with support that was perceived as independent from the CJS. The evaluation also identified improvements in personal outcomes for those referred, including more positive outcomes for mental health and wellbeing, physical health, and family relationships. Feedback from participants can be found in Annex A (5.2).
- **Provide support at the earliest opportunity.** As a sector we should not wait for women to be embedded in the justice system to provide support and guidance. The earlier women at risk of entering the justice system can be identified and helped, the more families can stay together, and lives be improved.

## 2. Keeping Families Together

We know the impact a custodial sentence can have on families. As there are no women's prisons in Wales, on average women in custody will be 100 miles from their homes. Creating systems which support women to build and maintain family ties is essential to reducing re-offending. To provide this support, in partnership with Welsh Government we have jointly funded the Pact Visiting Mum Service, which supports women from Wales who are serving prison sentences in England to maintain contact with their children (where in the child's best interest to do so). A link to an evaluation of the Pact Visiting Mum Service can be found in Annex A (5.4).



## 2.1 Key Recommendations

- **Increase cross border support:** Women who live in Wales completing custodial sentences in England need practical support to maintain relationships and to reintegrate into their communities. This includes support for families to visit prisons in England, care pathways that allow treatments started in one country to continue in the other and links to local housing organisations. Support needs to be placed on a sustainable footing with multi-year funding secured.
- **Collaborative procurement:** As evidenced by the work taken place to date on the blueprints, as a sector we can drive greater consistency in the service offer for women who are in or at risk of entering the criminal justice system in Wales by taking a collaborative procurement approach. This enables better integration of key women's contracts, as well as providing space for innovation and flexibility to suit the local demographic.
- **Secure housing:** As part of the blueprint, a pilot has been commissioned to test a new housing model for women. As a sector, we should support further research into innovative housing solutions that provide the wrap around support needed to break cycles of offending and keep families together.

## 3. Women's Rehabilitation and Residential Centres

Reducing the number of women sentenced to custody, with a particular focus on short custodial sentences (where a community-based alternative is a feasible option) is a key priority of the Women's Justice Blueprint. Evidence suggests that the majority of women who receive a short custodial sentence in Wales have committed non-violent offences. Women also tend to commit less-serious offences than men, so are more likely to receive a short prison sentence.

Short prison sentences often do not provide sufficient time to enable the full complement of rehabilitative activity to be undertaken. This can present a significant challenge for Welsh women, who are held an average of 100 miles from their homes, creating additional barriers in being able to maintain contact with children and families, and exacerbating impact of Adverse Childhood Experiences, of which parental imprisonment is one.

### 3.1 Key recommendations

- **Build a new residential women's centre in Wales.** The MoJ has committed £10M to developing the Residential Women's Centre which will strengthen community-based provision for women and keep women closer to their homes. The Residential women's centre will pioneer an approach to women who commit low level offences, by offering bespoke support to around 50 women a year who have been diverted from a potential prison sentence of up to 12 months. Women who are diverted to the centre will have one to one mental health therapy and counselling to address trauma and addictions, as well as long-term support to secure employment and maintain family relationships when transitioned back into their community from the centre.

- **Support the planning permission process for the proposed residential women’s centre.** The Ministry of Justice has worked closely with Welsh Government, Local Authorities, Police and Crime Commissioners and other local partners to find a suitable site, which is currently subject to planning permission. An initial application was not supported by the local planning committee, and the final decision has been deferred. Ongoing support from the Welsh Government and other partners is vital to the Women’s Centre opening.
- **Create more female-only reporting and co-location arrangements** by opening new locations in more rural locations across Wales. This is based on evidence that women respond better to rehabilitative services delivered in a holistic and female only, trauma informed environment.
- **Strengthen early intervention and diversion opportunities** to reduce escalation in complexity at the earliest point and provide a meaningful alternative to custody. This includes increasing the number of Women’s Pathfinder Partnership Integration Coordinators, which is currently at six.
- **Increase the number of health pathways for women in the Justice System.** This will provide better support for women’s physical and mental health needs, including substance misuse strategies, by commissioning and supporting health pathways into health care services, both from custody in England and in Wales. This would include primary care, mental health services, maternity, and residential and community rehabilitation services for women in Wales. In addition, it would be beneficial to develop a funded pathway for women to access rehab spaces. We have identified a gap in this area that sometimes means women have to travel as far as Scotland to access rehab spaces.
- **Grow the evidence base.** In order to better monitor data and trends in relation to the sentencing outcomes of women across Wales, the Blueprint project has also established a new, multi-agency pan Wales Women’s Partnership report. Evidence gathered through this work has enabled the team to identify individual court areas, such as Swansea Magistrates Court and Merthyr Tydfil Magistrates Court, where targeted activity to reduce female custodial sentences would be beneficial. This should be expanded across Wales. In addition, we can improve the data available by testing a process to improve information sharing from women’s services into the Pre-Sentence Report writing process, which will support effective sentencing proposals.

#### 4. Annex A

4.1 Table 1 highlights the volume of women, who were supported by the Women’s Pathfinder WSA across each of the key stages of the Justice System from April 2020 to March 2022.

Timeframe	South Wales	Gwent	Total
Apr-Jun 2020	196	74	270
Jul-Sept 2020	193	100	293

<b>Oct-Dec 2020</b>	160	76	236
<b>Jan-Mar 2021</b>	185	108	293
<b>Apr-Jun 2021</b>	211	123	334
<b>Jul-Sep 2021</b>	235	75	310
<b>Oct-Dec 2021</b>	214	88	302
<b>Jan-Mar 2022</b>	137	64	201
<b>Total</b>	<b>1,531</b>	<b>708</b>	<b>2,239</b>

#### 4.2 Women's Pathfinder Whole System Approach Client Feedback:

- '[Caseworker] wrote me a letter for court and that really helped... she explained to them how remorseful I was and how much it was affecting me. It helped the people at court to understand my situation better.'
- '[Caseworker] has given me a sense of pride and helped me to come along and be where I am now, where I never thought I'd be. I wouldn't do anything to jeopardise this.'
- The timing was a massive factor... [caseworker] reached out at just the right time. If I hadn't been given support in the cell that day, I would have lost all hope.'

#### 4.3 Number of diversion referrals across Wales

<b>Area</b>	<b>Apr - Jun 20</b>	<b>Jul - Sep 20</b>	<b>Oct - Dec 20</b>	<b>Jan - Mar 21</b>	<b>Apr - Jun 21</b>	<b>Jul - Sep 21</b>	<b>Oct - Dec 21</b>	<b>Jan - Mar 22</b>
<b>North Wales</b>	87	97	73	93	60	63	55	61
<b>Dyfed-Powys</b>	11	9	*	13	8	*	8	13
<b>South Wales and Gwent</b>	92	124	102	115	131	132	91	80
<b>Total</b>	<b>190</b>	<b>230</b>	<b>177</b>	<b>221</b>	<b>199</b>	<b>200</b>	<b>154</b>	<b>154</b>

#### 4.4 PACT visiting Mum evaluation [Final-PACT-report-Final-version.-12.7.17.pdf \(cardiff.ac.uk\)](#).

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Profiadau menywod yn y system cyfiawnder troseddol](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Women's experiences in the criminal justice system](#)

WECJS 17

Ymateb gan: Dirprwy Gomisinydd Yr Heddlu a Throseddu De Cymru, Emma Wools | Response from: South Wales Deputy Police and Crime Commissioner Emma Wools

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## **Senedd's Equality and Social Justice Committee - women's experiences across the criminal justice system - response from South Wales Deputy Police and Crime Commissioner Emma Wools, Senior Responsible Officer for the Women's Justice Blueprint Programme.**

This evidence is submitted on behalf of Police and Crime Commissioners and Chief Constables for Policing in Wales, who are committed to transforming services for women in the Criminal Justice System with a commitment in their Police and Crime Plans on trauma informed practice demonstrating leadership in terms of the Blueprint programme alongside partners and an investment in their services. This model has recently been tested within the diversion scheme context in North Wales.

### **1. The progress being made, if any, by the Welsh Government in realising its ambitions for the transformation of services for female offenders including implementation of the Female Offending Blueprint;**

The joint Ministry of Justice (MoJ) and Welsh Government Women's Justice Blueprint (2019) seeks to build on and accelerate the transformation of services for women in Wales to help keep women and communities safe and free from crime. The Blueprint aims to achieve this by reducing the number of women in the criminal justice system whilst better meeting the needs of those already in the system, through a whole system approach focus.

A full update on progress against the Women's Justice Blueprint is provided through the most recent [implementation plan update](#) which was published on 25 May 2022. This provides a complete view of plans and achievements against each of the objectives of the blueprint. There is also an implementation plan update against the Youth Justice Blueprint, this will provide benefits for girls and young women in Wales a part of the youth cohort.

Significant progress has already been made in designing and testing approaches that support the whole system approach vision of the Blueprint, it has already illustrated the benefits of a more collaborative approach between devolved and non-devolved agencies and non government Organisations (NGOs). The approach has enabled a real sense of shared drive and ambition and vision, driving forward activities with pace. As such it has provided evidence of the benefits of adopting a blueprint approach to delivery in other complex areas such as Violence against Women Domestic Abuse and Sexual Violence (VAWDASV), providing the opportunity to join up significant and challenging programmes of work to support a whole system approach.

Adopting a Whole System Approach generates scope to join up policy and drive practice, reducing the tendency for working in isolation. It has created a way of working whereby opportunities to better understand, join up and connect work is common practice and informing and linking into associated VAWDASV activities to best meet the needs of women.

The Blueprint approach has provided scope to identify, reflect, cross reference and better understand the recognised drivers for criminal activity and enhance understanding of the impact of being a victim of domestic abuse and/or sexual violence / exploitation and how quite often these experiences can increase a woman's vulnerability.

Blueprint activity is being taken forward under six thematic focus areas:-

1. Early Intervention and Prevention
2. Courts and Sentencing
3. Community Sentences
4. Custody and resettlement
5. Systems and governance
6. Research and evaluation

The Blueprint has also provided focus on:-

**Developing insights and understanding:**

- **Developed integrated data-set /single repository of evidence in relation to women** - quarterly pan Wales partnership report produced to improve understanding and monitoring of trends in relation to women in the CJS. This is being supported by regular deep dives into data, where there is a need to further understand critical issues/areas.
- **Women from ethnic minority backgrounds** - Commissioned research to better understand the needs of women from ethnically and racially diverse backgrounds.
- **ACEs literature review**– Undertook ACEs literature review to better understand profile, prevalence and impact of ACEs on women in the justice system.
- **Evaluation of Women's Pathfinder Whole system Approach** - Commissioned independent evaluation of Women's Pathfinder WSA (and 18-25 | Early Intervention Service) in South Wales and Gwent (Cordis Bright). Final report produced June 2022.
- **Evaluation of gender-informed practitioner skills training package** – providing understanding of effective approaches to raising awareness, skill sand expertise of multi-agency professionals in applying a gender informed approach.
- **Blueprint Evaluability Assessment**- Delivered independent Evaluability Assessment of the Women's Justice and Youth Justice Blueprints by Opinion Research Services. Report due November 2022.
- **Involvement model** - Established involvement model to support a co-production approach with women with lived experience of the justice system. Sharing

learning with other programmes looking to do involvement work involving women to identify opportunity for join up.

**Service design, commissioning and delivery (spanning early intervention, support for women in the community, support for women in custody and those resettling into Wales):**

- **Launched Future 4 Women’s Pathfinder Whole System Approach and 18-25 Early Intervention Service** –in South Wales and Gwent (Oct 2019). Detailed description of this service is provided in later questions however, examples of innovation relating to this service include:-
  - **Y2A Pathway currently being piloted in** Cwm Taf, Cardiff, Blaenau Gwent and Caerphilly
  - **Women from ethnic minority backgrounds** - providing frontline specialist support and a tailored early intervention service to women through a part-time specialist worker.

Other examples of service development have included:-

- **Developed Psychologically Led Model** in consultation with partners, which aims to support organisations to deliver services to women through a gender and trauma-informed lens. This model has recently been tested within the diversion scheme context in North Wales prior to wider roll out.
- **Established pan-Wales Gender-Responsive and Trauma-Informed Multi-Agency practitioner skills training programme**, following pan Wales training needs assessment undertaken in 2021. This training package is being delivered in collaboration with Welsh Women’s Aid, and is designed to equip staff with skills and expertise in gender and trauma informed practice.
- **Accommodation solutions work** - Commissioned a bespoke piece of work from Llamau, to map the accommodation needs of women to inform the design of an accommodation model proof of concept for women. The work being undertaken by Llamau and Bangor University is in the very early stages and unlikely to be completed before the New Year. HMPPS have pushed back against some of the work in terms of interviewing services users which may impact upon the feasibility of the study.

- **Launched PACT Visiting Mums Service** in HMP EWP and HMP Styal in 2021 to support mothers in prison to maintain contact with their families and children in the community (where in the child's best interest to do so).
- **Established new IDVA/IDSA role** – to specifically support Welsh women in prison and resettling back into Wales from HMP Eastwood Park and HMP Styal. This role has been embedded within the WSA Service.
- **Established Trauma Practitioner Role** proof of concept to support women in the community who have experienced ACEs and are at risk of CJ involvement, in collaboration with ACEs workstream within WG - The scheme seeks to support the strategic priorities of the ACE Support Hub, the Youth Justice and Female Offending Blueprints and the Welsh Government and Criminal Justice in Wales' priorities around early intervention and prevention. Funding awarded to 'Include' and 'Faith in Families'.
- **Established funding for grassroots organisations supporting women and children affected by ACEs**– joint funding from Welsh Gov Blueprint/ACEs funding of grassroots organisations that seek to build resilience amongst women who are at risk of entering the CJS, who have experienced ACEs. Funding awarded to Valleys Kids £34,147; Hafan £7,416; Nelson Trust £38,663 and The Centre for African Entrepreneurship £9,774.
- **Established 7x Multi-agency Women's Pathfinder Case Conferences** across Wales (covering probation delivery unit footprint). There were approximately 270 women referred into Women's Pathfinder Case Conferences across Wales in 2021. The Blueprint team are working with partners to explore options for expanding the case conference model, in line with the evidence-base around local need/demand.
- **Women's Pathfinder Partnership Integration Coordintaor Roles** - Introduced 6 x new Women's Pathfinder Partnership Integration Coordinator roles hosted by Probation Service Wales to support inter-agency collaboration in relation to delivering WSA for women across Wales and help unblock barriers to women accessing support.
- **Court engagement model** - Designed flexible, tiered, court engagement model to support an evidence-based approach to responding to the data around female custodial sentencing trends.

**Influencing and informing (national and UK):**



- **Residential Womens Centre (UK level)** - Worked in collaboration with MoJ RWC Team to inform the approach to the RWC pilot in Wales, and to seek to support wider-system integration.
- **North Wales Women's Justice Strategy (local delivery level)** – It has been identified that the development of a local strategy for North Wales will provide an opportunity to further strengthen engagement and investment from local partners and ensure a clear mechanism for implementation and delivery of outputs from the national programme. It also offers a key opportunity to act as a formal test case for local strategy development.
- **Courts/Sentencer engagement (Wales level)**- Delivered a series of engagement events, focused on raising awareness and confidence in community-based options for women amongst sentencers, legal advisors and key court decision makers (reached 270+)
- **VAWDASV (Wales level)** - Influenced the decision to take a blueprint approach to delivery of the new VAWDASV strategy.
- **Race Equalities (Wales level)** – informing work on the race equalities agenda, including through sharing insights from lived experience input. Creation of a Criminal Justice in Wales Anti-Racism Plan.
- **ACEs agenda/ Traumatic Stress Wales Framework (Wales level)** – Fed into design and consultation on the traumatic stress Wales framework to help to ensure the new Framework is developed with a women's lens.
- **Championing changes to language and terminology (Wales level)** – trail blazing improvements in how language and terminology is used when communicating about and with women in contact with the criminal justice system in Wales.

#### **Embedding and sustaining via a systemic approach:**

- Blueprint has already attracted investment from core partners and the Blueprint Team is currently costing out aspects of delivery across the whole system to enable investment partners to make longer-term commitments.

#### **Additional planned activity for 2022/23 (subject to confirmation of funding)**

- **Brain injury research** - Research to better understand the prevalence and impact of brain injury on women in Wales who are in scope of the criminal justice system. Funding will inform a programme of activity to take forward recommendations on a multi-programme basis (including new VAWDASV

Blueprint, with opportunity to support Welsh Government ministerial advisory group on neurodiversity.

- **Racial Disproportionality research** - Commence research to identify touchpoints and processes within the CJS that may be contributing to racial disproportionality, creating barriers to accessing early intervention support

**Update on work on diversion and the women's pathfinder - what has been achieved so far in terms of establishing services in each force area, and the next steps in terms of having more of a joined up model across Wales.**

### **Update**

The innovative Women's Pathfinder Whole System Approach (and 18-25 Early Intervention Service) is one example of how the Blueprint vision is being operationalised into practice in South Wales and Gwent. The significant investment made by the South Wales Police and Crime Commissioner, Gwent Police and Crime Commissioner, HMPPS and Welsh Government into the Women's Pathfinder WSA and 18-25 Service reflects the commitment of commissioners to delivering sustainable improvements to the outcomes and experiences of women throughout their justice journey in Wales, in line with the Blueprint vision. Commissioners set the ambition of designing a service that could work seamlessly to support women at all stages (including key transition points) of the CJS, thereby avoiding fragmented service delivery and enabling better consistency in support improving the lives of vulnerable women, children and young people. The service is delivered by Future 4, which is a consortium made up of G4S, Safer Wales, Include and Llamau.

Commissioners were keen to establish a service that could working seamlessly to support women at all stages (including key transition points) of the CJS to avoid fragmented service delivery and provide consistency in support, support to women who are in or at risk of entering the CJS from the earliest opportunity and through their journey. Integrate and knit around the statutory service offer, through providing an early intervention and prevention service (for those outside the scope of statutory services) and a function to join up agencies and stages of the system through supporting transition arrangements and providing continuity throughout the system, coordinating the multi agency response to support where more than one agency is involved with a service user (on an individual basis) – specific details below:

- Women at risk of re-offending/offending
- Women at point of arrest (including women eligible for diversion)
- Women at pre-sentence stage
- Women serving statutory orders (community or custody), and
- Women being released from prison back into the community.

Future 4 support is available to women any time during their involvement with Police, Courts Probation and prisons and offers guidance and advice, signposting, onward referral, practical and emotional support. Identified needs are provided via one to one, group based

and online interventions, and the support women who are both in (or at risk of entering) the justice system.

The Service provides a range of person-centered, needs led support to women including one to one support, interventions, signposting and referrals to specialist agencies. The below table provides an indication of the volume of women, who were supported by the Women's Pathfinder WSA across each of the key stages of the Justice System from April 2020 to March 2022. As can be seen from the table below, there were 2,239 referrals into the WSA Service during this period. This included referrals from a range of sources, including for example:

- Police Custody Suite
- Police Voluntary Attendance
- Other police referral routes (Neighbourhood, PPU, Response Team)
- Arrest Referral Worker
- Self-Referral - Cell Sweep
- Walk in Self-Referral
- Prison
- Probation
- Criminal Justice Substance Misuse Referral
- Other services (e.g. Courts, local authority, third sector)

Timeframe	South Wales	Gwent	Total
Apr-Jun 2020	196	74	270
Jul-Sept 2020	193	100	293
Oct-Dec 2020	160	76	236
Jan-Mar 2021	185	108	293
Apr-Jun 2021	211	123	334
Jul-Sep 2021	235	75	310
Oct-Dec 2021	214	88	302
Jan-Mar 2022	137	64	201
<b>Total</b>	<b>1,531</b>	<b>708</b>	<b>2,239</b>

*Table 1. Number of referrals to the Women's Pathfinder WSA in South Wales and Gwent (inclusive of diversion referrals).*

Since the Women's Pathfinder Whole System Approach Service went live in South Wales and Gwent in October 2019, the Service has provided an effective example of how a whole system approach for women (and earlier intervention service for young adults aged 18-25) can be operationalised in Wales. An independent evaluation of the Women's Pathfinder WSA and 18-25 Early Intervention Service undertaken by Cordis Bright (2022) highlighted a number of positive findings around how the service has supported women to address needs and vulnerabilities linked to offending, across a number of areas. This evaluation found that those referred engaged well with the service and that they might not otherwise have engaged at that point in their involvement with the CJS. Key features that enabled positive

engagement included support being perceived as independent from the CJS and a tailored approach to location, type, intensity and formality of engagement. The evaluation also identified improvements in personal outcomes for those referred, including improvements in mental health and wellbeing, physical health and family relationships. As part of this evaluation the following feedback was provided by women supported through the WSA Service:

*Women's Pathfinder Whole System Approach Client Feedback*

- *'[Caseworker] wrote me a letter for court and that really helped... she explained to them how remorseful I was and how much it was affecting me. It helped the people at court to understand my situation better.'*
- *'[Caseworker] has given me a sense of pride and helped me to come along and be where I am now, where I never thought I'd be. I wouldn't do anything to jeopardise this.'*
- *The timing was a massive factor... [caseworker] reached out at just the right time. If I hadn't been given support in the cell that day, I would have lost all hope.'*

Throughout the current period of delivery, there has continued to be significant innovation and development in the whole system approach, in response to emerging evidence around the needs of women. Examples of this include:

- **Y2A pathway-** WSA alongside Safer Wales Inclusive Service established referral pathway for young females), with particular focus on those transitioning from youth to adult services to support young females to make positive lifestyle choices. The services offers support to young females aged 16-17 who are being supported by Youth Offending Services or are transitioning to adult services in Cardiff, Bridgend, Cwm Taf and Gwent.
- **Women from ethnic minority backgrounds pathway** – Established pathway providing frontline specialist support and a tailored early intervention service to **Women from ethnic minority backgrounds** involved with or at risk of involvement with criminal justice services. Part-time specialist **Women from ethnic minority backgrounds** worker recruited (working from Cardiff Bay) to engage, support and safeguard women involved in the Criminal Justice System.
- **Mentoring service** -Introduced new Safer Wales Volunteer and Mentor Support Officer to provide additional support to develop, recruit, train and place volunteer mentors within the service. A number of mentors are now in place.
- **IDVA/IDSA** support for Welsh women in prisons in England (HMP Styal and HMP EWP) who are resettling back into Wales.

- **Transport for Wales Employment pathway** – working with probation and Transport for Wales to design an employment pathway for women in contact with the justice system.
- **Revolving Door pilot** - a joint initiative involving South Wales Police, Office of the Police and Crime Commissioner for South Wales, Gwent Police, Office of the Police and Crime Commissioner for Gwent, HMPPS and Future4. Provides targeted approach for those who have committed a number of low-level offences and where there is risk in escalation of offending behaviour. The pilot was launched from July 2021.

Separate diversion schemes, of which women are in scope, have also been established in Dyfed Powys and in North Wales. In Dyfed Powys, the ‘Offender Diversion Scheme’ funded by the Dyfed-Powys Police and Crime Commissioner went live in November 2019, with intervention support provided by Pobl. In North Wales the ‘Checkpoint’ diversion scheme also went live in November 2019, funded by the North Wales Police and Crime Commissioner. Both diversion schemes incorporate specific support pathways for women. The table below provides an indication of volume of diversion referrals across each of the regions.

Area	Apr – Jun 20	Jul – Sep 20	Oct - Dec 20	Jan - Mar 21	Apr – Jun 21	Jul - Sep 21	Oct - Dec 21	Jan - Mar 22
North Wales	87	97	73	93	60	63	55	61
Dyfed-Powys	11	9	*	13	8	*	8	13
South Wales and Gwent	92	124	102	115	131	132	91	80
<b>Total</b>	<b>190</b>	<b>230</b>	<b>177</b>	<b>221</b>	<b>199</b>	<b>200</b>	<b>154</b>	<b>154</b>

*Table 2. Number of diversion referrals across Wales.*

In delivering the system-wide vision of the Blueprint in Wales, there has also been a focus on establishing approaches that seek to improve opportunities for Welsh women in prison to maintain contact with their children. There are no women’s prisons in Wales, therefore women who receive custodial sentences are held on average, 100 miles from their homes and family support networks. Supporting women from Wales to build and maintain positive family relationships and to help mitigate the impact of parental imprisonment on children (as one of the 9 recognised Adverse Childhood Experiences), is a key priority within the Blueprint. In response, Welsh Government and HMPPS have jointly funded an innovative service, known as the Pact Visiting Mum Service, to specifically support women from Wales who are serving prison sentences in England to maintain contact with their children (where

in the child's best interest to do so). A link to an earlier evaluation of the Pact Visiting Mum Service can be found below:

[Final-PACT-report-Final-version.-12.7.17.pdf \(cardiff.ac.uk\)](#)

### Future

Commissioners (including Welsh Government, the four Police and Crime Commissioners and HMPPS) have recognised that there is an opportunity to build on the significant learning to date in relation to these key Blueprint developments in the design and delivery of the next generation of women's services across Wales. The vision, through the current commissioning exercise, is to drive greater consistency in the service offer for women who are in or at risk of entering the criminal justice system in Wales, through a collaborative Wales procurement approach. This will enable better integration of key women's contracts (tying in the new Probation Commissioned Rehabilitative Service contract for Women's Services), whilst continuing to enable local innovation to ensure there is flexibility in the delivery model to respond to the needs of the local demographic.

The Blueprint has also committed to exploring options to strengthening the network of accommodation options for women in Wales who may be in, or at risk of entering the criminal justice system. To achieve this delivery ambition, the Blueprint has commissioned a discrete piece of work by a specialist housing provider working alongside an academic partner, to help build the evidence-base in order to inform a proposal for developing and testing a housing solution model for women. The aim is to ensure that any new accommodation solution for women in Wales address the challenges that women can experience in accessing safe, secure and appropriate accommodation, and that this is appropriately integrated within the wider women's pathfinder and whole system approach partnership landscape.

Fully implementing the vision of the end to end, whole system approach model for women across Wales will require:

- **Investment from commissioners** into the WSA model across the whole of Wales (spanning each of the four force areas), so as to provide consistency in access to support for women regardless of the geographical area in which they reside and to avoid returning to a proliferation of fragmented service delivery.
- An **appetite to build a sustainable and resilient commissioning approach** to support long term delivery of the model across all areas of Wales, based on shared principles of keeping women safe and reducing crime and reoffending.
- A desire for a **model that is flexible and able to keep pace with emerging evidence**, including changing demands and needs profile of women in local communities.

- A **recognition of the statutory delivery elements of the model**, and the need to manage this element in line with national requirements.
- An appetite to **support capacity and resilience building within the Welsh partnership delivery landscape**, whilst not excluding opportunities for learning and innovation from partners outside of Wales, and a
- A desire for a model that can **seamlessly integrate and align with new developments/initiatives**, such as the new Residential Women's Centre, in order to provide continuity of support for women and avoid a fragmented service delivery landscape.

**2. The evidence for the development of Women's Rehabilitation Centres and arguments for reducing custodial sentences for women in Wales, including views on the Women's Centre that will open in Swansea; and**

Reducing the number of women sentenced to custody, with a particular focus on short – custodial sentences (where a community-based alternative is a feasible option) is a key priority of the Women's Justice Blueprint. Evidence suggests that the majority of women who receive a short custodial sentence in Wales have committed non-violent offences. Women also tend to commit less-serious offences than men, so are more likely to receive a short prison sentence. Short-prison sentences often do not provide sufficient time to enable the full complement of rehabilitative activity to be undertaken. Short-prison sentences can present a significant challenge for Welsh women, who are held an average of 100 miles from their homes, creating additional barriers in being able to maintain contact with children and families, and exacerbating impact of Adverse Childhood Experiences, of which parental imprisonment is one.

The Women's Blueprint project is seeking to reduce the number of women sentenced to short-term custody through a whole system approach focus. This has included strengthening early intervention and diversion opportunities so as to reduce escalation in complexity and prevent formal entry into the Criminal Justice System, whilst also strengthening the wider community-based provision for women to ensure there are robust community-based solutions in place to address needs relating to female offending.

Research suggests that many of the solutions to female offending lie in community based support. Commissioners have therefore designed the end to end Women's Pathfinder Whole System Approach Service, with the ability to support any woman in the community, including those serving statutory sentences. The WSA has the ability to knit around and complement existing provision, providing the option of continuity in support for women following a statutory sentence.

Part of the WSA community model has included establishing 6 x new Women's Pathfinder Partnership Integration Coordinators hosted by Probation Service Wales, to help strengthen pathways and remove barriers into support for women. The WSA vision has also been

enabled through the development of 7 x multi-agency Women's Pathfinder Case Conferences across Wales, which bring partners together to take problem solving approach to supporting women involved in the Criminal Justice System who have complex needs and vulnerabilities.

In order to better monitor data and trends in relation to the sentencing outcomes of women across Wales, the Blueprint project has also established a new, multi-agency pan Wales Women's Partnership report. Evidence gathered through this work has enabled the team to identify individual court areas, such as Swansea Magistrates Court and Merthyr Tydfil Magistrates Court, where targeted activity to reduce female custodial sentences would be beneficial. Evidence gathered through this exercise has helped to inform the decision to pilot the new Residential Women's Centre in Swansea. The data has also helped to inform local targeting of the next phase of Blueprint work to design and test an enhanced court engagement model, which will seek to focus activity and resource within those courts where the evidence suggests there would be benefit in providing enhanced engagement support.

### Residential Women's Centre

The new Ministry of Justice Residential Women's Centre will complement the aims of the Blueprint in strengthening community-based provision for women, and keeping women closer to their homes and their community whilst addressing the root cause of their offending behaviour. The Residential women's centre is pioneering an approach to women who commit low level offences by offering bespoke support to around 50 women a year who have been diverted from a potential prison sentence of up to 12 month that addresses the root causes of their offending. Women who are diverted to the centre will have one to one mental health therapy and counselling to address trauma and addictions, as well as long-term support to secure employment and maintain family relationships when transitioned back into their community from the centre.

The Centre will keep local women close to home while providing a safe, secure, homely environment with intensive rehabilitative support as part of a community sentence to enable them to break the cycle of re-offending and access a wider range of support and rebuild their lives. This will be offered on a residential and non-residential basis. If women in the local community can still benefit from the services provided, on a non-residential basis. The focus will be for women who pose a low to medium risk of re-offending and will attempt to either divert from the CJS entirely, or where subject to a community based penalty, work collaboratively to reduce the risk of further offending.

The Ministry of Justice has worked closely with Welsh Government, Local Authorities, Police and Crime Commissioners and other local partners to find a suitable site, which is currently subject to planning permission. The Blueprint team is working closely with the RWC team to ensure that any new provision is integrated within the wider whole system approach delivery landscape, providing an opportunity for continuity in support for women who access RWC provision, throughout their justice journey.



### **Latest position on Swansea Residential Women's Centre**

- The Ministry of Justice has worked closely with Welsh Government, Local Authorities, Police and Crime Commissioners and other local partners to find a suitable site in south Wales.
- 20 May public announcement of the venue of the RWC site and full planning permission submitted.
- 25 July – drop in event for residents and Swansea Councillors to answer questions.
- 6 September planning committee met and application voted against. Final decision deferred to allow planning officers to write up reasons for refusal. Once received next steps can be considered.

Currently, women in Wales who are sentenced to custodial sentences, are held in English Prisons as there is no prison for women in Wales. Statistics show, that Welsh women, especially from some areas across Wales, receive short custodial sentences that could be avoided with a more targeted response either at the point of arrest or at court sentencing hearings. There is a focus through the HMPPS Pre-Sentence Report (PSR) pilot, that, all women ought to be considered for a Pre-Sentence Report, to ensure that an individual, trauma informed approach is taken from the outset. This would encourage alternatives to custody to be considered and imposed. For those women who pass the custody threshold, and receive custodial sentences, then they ought to have better access to services within the Prison Estate. Through the Women's Blueprint, we are working closely with MOJ colleagues to streamline the receiving prisons nearest Wales to allow for better service provision and better resettlement services. Those closest to Wales, HMP Eastwood Park and HMP Styal account for approximately 75% of all Welsh Women held in custody or held on remand, with the remaining 25% scattered across all other prison estates.

Repeat offending accounts for the vast majority of short-term sentences for women in Wales, for example, repeat shoplifting, and given the length of the custodial sentence is often very short, on average 7 weeks, of which 3 and a half would be spent in custody, is insufficient to allow proper release arrangements to be made, both in terms of health care, accommodation, etc. Thus, creating a revolving door situation.

Prison sentences should be reserved for those women who pose the greatest risk of harm and who cannot be safely managed in the community.

The Custody and Resettlement Workstream of the Blueprint is working closely with the MOJ and HMPPS to improve resettlement services for Welsh Women, including maximising the use of bail hostels to avoid unnecessary remands, considering alternatives to Approved Premises referrals, and making better use of existing accommodation for Welsh Women and prison leavers.

It is also working closely with health colleagues to ensure that there is a smooth transition between community to custody to community and that Health Boards and local home arrangements do not impact upon the continuity of care for Welsh Women's health needs.

Through the workstream, we work closely with the 2 main prisons, HMP Eastwood Park and HMP Styal to identify barriers for Welsh Women, including access to interventions, access to the Visiting Mums Provision and consider Equality, Diversity and Inclusion for all women, including those held in other prisons and transgender women.

**3. the availability of appropriate custodial provision and support for different groups of women including girls under the age of 18, disabled women, those with mental health problems, women from ethnic minorities, those who have experienced sexual violence or domestic abuse, women with alcohol or drug problems and Welsh speaking women.**

The Women's Justice Blueprint (2019) is seeking to take a system-wide focus to improving outcomes for women from Wales across **each stage** of the criminal justice journey. Custody and Resettlement is one of the thematic areas of the Blueprint. This workstream is providing a specific focus on Welsh women in prison and those being resettled back into Wales, including:

- Working with rehabilitative services to deliver effective pre and post-release interventions in prisons where women are located
- Establishing services to improve and maintain links with children and families
- Strengthening pathways into support for Welsh women leaving prison and being resettled into Wales - this includes building on the existing women's pathfinder infrastructure in Wales
- Work with health partners to ensure the health needs of women are met with released from custody – this continues to be a priority for the Blueprint as we move into phase 2 of Blueprint activity.

In recognition of the challenges that women can face when held in prison establishment significant distances from their homes, the Women's Justice Blueprint team is working with relevant authorities to identify opportunity to positively influence policy in relation to the distribution of Welsh women across the prison estate, with the aim of keeping women closer to home.

Whilst a key aim of the Blueprint is to reduce female imprisonment, where a community-based alternative is a viable option, it is recognised that for a small number of women, due to the nature of the offence, a custodial sentence may be required. For women who receive a custodial sentence, the Blueprint has committed to ensuring that appropriate provision is place to support women to maintain family contact. Lord Farmer's Review into the importance of strengthening female offer' family and other relationship to prevent

reoffending and reduce intergenerational crime (2019), highlighted that for women, relationships were particularly important and affected the likelihood of reoffending 'significantly more frequently than is the case for men'. In recognition of this (and as outlined in Q1), HMPPS and Welsh Government has commissioned a bespoke 'Visiting Mum' Service for Welsh women in prison. This Service was recognized as good practice by Lord Farmer, who highlighted the significant value of the Service to women, their children and carers and to wider society.

The below provides more information of the range of provision available. Many of these areas provide services to women and girls as part of the wider offending cohort, but we have included them here as the services provide substantive and important provision for women and girls in Wales.

### **Support for women and their children – Visiting Mum**

The Welsh Government jointly funds the 'Visiting Mum' service, together with HMPPS. The Pact Visiting Mum Service has gone live in HMP Eastwood Park and HMP Styal.

The maintenance of positive familial relationships between mothers in prison and their children is crucial for both mother and child. 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 lack of female facilities in Wales creates significant practical barriers for children's visitation due to the cost of travel, lack of transport and the availability of a suitable adult to take them. The Visiting Mum Service was introduced to remove these barriers and support families to maintain a positive relationship with imprisoned mothers when in the child's best interest. 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.

During the pandemic 'purple visits' were introduced to ensure continued and remote contact between mothers in the criminal justice system and their child/children.

More information about Visiting Mum is available here: [Visiting Mum | Prison Advice and Care Trust](#)

### **Mental Health Support for those in the Criminal Justice System**

Women and young people in the criminal justice system in Wales have access to mainstream mental health services. In 2021/22 we provided an additional £42 million for

mental health support and our *Programme for Government* makes it clear that we will continue to prioritise investment in mental health services.

Mental health continues to be the highest area of spending by the NHS in Wales. In 2022-23 the ring-fenced Mental Health budget provided to Local Health Boards is over £760million. As part of the Welsh Government's budget published on 1 March 2022 we have outlined additional resources to support mental health and well-being with £50million in 2022/23 rising to £90million in 2024/25. This funding will continue to support a number of priority areas set out in the Together for Mental Health Delivery Plan including CAMHS, Crisis Care and perinatal mental health. Welsh Government has also provided additional mental health service improvement funding to all health boards to support improvements in a number of areas, including CAMHS. This funding aims to support health boards to recover waiting times and to build future, sustainable capacity.

Last year also saw the development of a revised service specification for the Forensic Consultation and Treatment Service (FACTS) with the Welsh Health Specialised Services Committee, Cwm Taf Health Authority and the Youth Justice Board – which will provide the delivery of a pan-Wales psychology-led trauma-informed model to Youth Offending teams.

Although there is no women's prison in Wales – work being taken forward through a [Partnership Agreement for Prison Health](#) is also important to the mental health and wellbeing of women and young people in the criminal justice system in Wales.

Two of the key priorities in the Partnership Agreement for Prison Health are focussed on mental health and substance misuse. Welsh Government is currently consulting on a new draft Substance Misuse Treatment Framework (SMTF) and new standards for mental health services in the prisons in Wales, both of which include a specific focus on transition from prison into the community (and are therefore – for example – relevant to the needs of women returning to Wales from prisons in England).

The development of the SMTF and the new standards for mental health services are particularly important within the context of recovery from the pandemic, and ongoing support and rehabilitation for people in prison and the community. The SMTF and the new standards for mental health services for the prisons are aligned with other work being taken forward – including new funding to tackle homelessness and to provide effective and sustainable housing solutions to those most at risk, and ongoing action to support those with complex needs (including those with co-occurring substance misuse and mental health problems). They also align with the principles set out in the Youth Offending Blueprint and the Women's Justice Blueprint, as well as the work of Traumatic Stress Wales and their Prison and Criminal Justice workstream.

[Traumatic Stress Wales](#) is funded by Welsh Government (£1.2million annually) and aims to improve the health and wellbeing of people of all ages living in Wales at risk of developing or with post-traumatic stress disorder (PTSD) or complex post-traumatic stress disorder (CPTSD). The initiative covers children, young people and adults, and is co-produced, co-owned and co-delivered by all relevant stakeholders, including people with lived experience of PTSD and CPTSD. Traumatic Stress Wales have a number of different workstreams –

focussing on sexual assault, criminal justice, forced migrants, perinatal, adults, young people, and assessment and outcomes.

The [prison and criminal justice workstream](#) is leading on the development of an effective trauma care pathway, for people who are in the criminal justice system on custody in Wales. Evidence suggests that a disproportionate number of people in the criminal justice have experienced childhood abuse or trauma. However, they can face multiple barriers to accessing effective treatments for traumatic stress. The workstream is comprised of people who work within the prisons in Wales and the new women's residential unit, as well as the probation service, health services, voluntary sectors and public health. The workstream will build capacity within prisons to identify and assess traumatic stress, and to increase access to effective psychological therapies. It will support the training of frontline staff in trauma-enhanced practice, and will support effective transitions back into community services. The workstream will also develop research links to ensure that the pathway is evaluated.

Health boards also provide Criminal Justice Liaison and support for the early identification and assessment of a mental disorder or learning disability need as early as possible in the criminal justice pathway.

### **Mental health support for young people**

In March 2021 the [Framework for embedding a whole school approach to emotional and mental well-being](#) was published. It is statutory guidance for schools, educational providers and partners to ensure all pupils' wellbeing needs are supported through a non-stigmatised approach and regardless of circumstance.

The [Young Person's Mental Health Toolkit](#) is also available, this links young people, aged 11 to 25, to websites, apps, helplines, and more to build resilience.

There is also mental health and emotional support 24 hrs every day, via our Community Advice and Listening Line (CALL) helpline, which provides specific information and advice about looking after mental wellbeing.

Our ambitious Programme for Government makes it clear that we will continue to prioritise investment in mental health with an additional of 50 million pounds made available in 2022-23 resources to support mental health and wellbeing. This investment rises to 90 million pounds in 2024-25.

This funding will continue to support a number of priority areas set out in the Together for Mental Health Delivery Plan, including improving support for children & young people's mental health, crisis and out of hour services, and increasing psychological services. These services are available to all children and young people in Wales.

More specifically and in terms of young people in the Youth Justice System in Wales, G4S Health Services UK Ltd continue to be the main health care provider for YOI Parc. The All Wales Forensic Adolescent Consultation and Treatment Service (FACTS) provide a specialist child and adolescent mental health in-reach service (CAMHS).

The Welsh Health Specialised Services Committee commissions FACTS on behalf of the 7 health boards in Wales. As of September 2021, FACTS has commenced a pan-Wales service

offer to YOTs which will provide psychology liaison and consultation and Enhanced Case Management (ECM).

### **Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV)**

In Wales, as in the rest of the world, too many people experience violence against women and gender based violence, including domestic abuse and sexual violence (VAWDASV). We recognise and understand the additional complexities associated with being a victim of violence and abuse, such as involvement within the criminal justice system or experiencing substance misuse issues. These can amplify abusers' power and control and increase the risk to victims.

Through the Blueprint Project, Welsh Government has funded Independent Domestic Violence Advisors (IDVA's) to specifically support Welsh Women in prison who have experience domestic abuse. Evidence suggests a high proportion of women in prison have previously experienced domestic and or sexual abuse or violence. Mapping work has identified a need for specialist support to safety plan in this area, to offer support and expertise, and to link with resettlement and accommodation planning for women

The Welsh Government remains committed to improving the quality of services and support for individuals and the families of those who are victims of violence and abuse. We are working with specialist domestic abuse services to provide support and safe accommodation to all those who need it when they need it.

VAWDASV specialist services work tirelessly to ensure that no victim falls through the gaps of service provision, and especially those at higher risk. VAWDASV services adopt a whole system approach to providing support, specialist services working in a coordinated multi-agency approach; using existing systems, avoiding gaps or duplication and providing individualised support from targeting a multitude of needs. We welcome a long term collaboration and partnership working between VAWDASV services and criminal justice services; working together to deal with the complexities of the trauma experienced. Our VAWDASV commissioning guidance advocates for commissioning of services that are needs led. This allows for flexibility in funding services across the diverse landscapes we live in.

We will continue to work in partnership with specialist services to raise awareness of the inequality and safety issues faced by women and girls, and to end all forms of violence against women, domestic abuse and sexual violence. Our new blueprint approach to VAWDASV includes a sub-group addressing children and young people's experience which will further develop our approach in this area.

### **Looked After Children and Care Experienced Young Children**

Social Services and Integration Directorate in the Welsh Government provide a range of grants to third sector organisations who through the funding provided offer support to young women who may have had experience of the criminal justice system or be at risk of involvement with the criminal justice system.

Ar Trac project - delivered by Welsh Women's Aid this supports children and young people who have experienced or witnesses domestic abuse, and who are exhibiting difficulties with their family and peer relationships.

The Ethnic Youth Support Team Wales (EYST) project - supports Black and Minority Ethnic Children and Young People in Wales and provides a referral based service for children and young people with 'additional' or 'multiple' support needs. The service aims to improve the wellbeing outcomes of the children and young people referred with social care needs, through a race, faith and culture-sensitive, person-centred and rights-based support service.

Platform's Young People's Project – based in Neath, Port Talbot and Swansea it provides a wellbeing programme, peer support and one-to-one support for young people aged 13-16 years to pause, breathe and connect, exploring what mental health and wellbeing means to the young people on the programme.

### **Advocacy**

MEIC is a Welsh Government funded confidential, anonymous, and free bilingual helpline service for children and young people up to the age of 25 in Wales providing information, useful advice and support need and are open 8am - midnight, 7 days a week, by phone, SMS text and instant messaging.

The Welsh Government provides funding to fund the "Active Offer" element of the National Approach to Statutory Advocacy for Children and Young People (NASA) to enable Local authorities to provide a national consistent approach to advocacy support. Children and young people are entitled to an active offer of advocacy from a statutory Independent Professional Advocate (IPA) when they become looked after or become subject of child protection enquiries leading to an Initial Child Protection Conference.

The ChildLine service provides a free, confidential 24 hour service to young people until the age of 19 in the UK. The Welsh Government has provided a contribution of £90,000 in 2022-23 to support the NSPCC to deliver the ChildLine project, which supports the Welsh Government's strategic agenda for social services.

### **All Wales Protocol – reducing the Criminalisation of Care Experienced Children and Young People**

- Since January 2021, work has been underway to develop an All-Wales Protocol to reduce the criminalisation of care experienced children and young people. The majority of the draft Wales protocol builds on an [existing DfE/HO/MoJ protocol](#) which was published in 2018.
- The All-Wales Protocol was jointly published by Welsh Ministers, UK Government Ministers in the Home Office and Ministry of Justice on 28<sup>th</sup> March 2022. The protocol will help those who come into contact with care experienced children and young adults while carrying out their work, in sharing a common framework of

principles and expectations informed by an approach that actively promotes children's rights and which safeguards and promotes their wellbeing.

- The Deputy Minister for Social Services and Minister for Social Justice issued a Written Statement to support the publication of the All Wales Protocol. [Written Statement: All Wales Protocol reducing the criminalisation of care experienced children and young adults \(28 March 2022\) | GOV.WALES](#)

Link to the protocol:- [Reducing the criminalisation of children in care and care leavers: all Wales protocol | GOV.WALES](#)

### **The Additional Learning Needs system**

The Welsh Government is committed to ensuring an equitable and inclusive education system. As part of our education reforms in Wales we are changing the way in which children and young people are supported. The Additional Learning Needs and Education Tribunal (Wales) Act and accompanying ALN Code for Wales came into force in September 2021 and is gradually being implemented across Wales over three years.

Chapter 19 of the [ALN Code for Wales](#) sets out how the ALN Act applies to children and young people who:

- a) are subject to a detention order in relevant youth accommodation in Wales and England
- b) are subject to a detention order and detained in a hospital under the Mental Health Act 1983 in the course of criminal proceedings or for sentence.

The new ALN system will help ensure learners aged 0-25 with ALN have their views, wishes and feelings identified early and placed at the heart of the process to identify and meet their needs. All children and young people with ALN, regardless of the severity or complexity of their learning difficulty or disability, will generally be entitled to a statutory support plan called an individual development plan (IDP). Children and young people with ALN will receive support called additional learning provision (ALP) which will be set out in their IDP. The ALN Act and the Code make provisions for detained children and young people.

### **Detained children and young people**

Whether or not a detained person has an IDP before they are detained, the person's home authority must promote the fulfilment of that person's learning potential during detention and on release.

Upon detention, the child or young person will undergo an assessment where their needs for education or training will be recorded and developed into an education plan to support their needs for the duration of their detention. These plans are further informed through sentence planning meetings, where a multi-agency approach is taken involving the detained person, the child's parent when the detained person is a child, and other partners such as



the youth offending team, the local authority's educational representative and other appropriate services such as Health and Social Services.

### **Individual Development Plans (IDPs)**

If the home authority in Wales decides that a detained person has ALN and that it will be necessary for an IDP to be maintained on their release, it must prepare an IDP for that person (unless in the case of a young person, they do not consent to the plan being prepared).

Where a detained person had an IDP maintained for them immediately before the beginning of their detention, or a home authority has prepared an IDP during the period of their detention, the home authority, if in Wales, must keep the IDP whilst the person is detained.

Where the home authority keeps an IDP, it must arrange appropriate Additional Learning provision to be provided to the detained person. If the IDP specifies that ALP should be provided in Welsh, the home authority must take all reasonable steps to secure that the appropriate ALP is provided in Welsh.

### **Taking an Anti-Racist approach to Criminal Justice**

#### Welsh Government Anti-Racist Wales Action Plan and Criminal Justice

The [Anti-Racist Wales Action Plan](#) (ARWAP), launched on Tuesday 7th June, is built on the values of Anti-racism, and shows the action we are taking to tackle racism and end discrimination through our policies and ways of working. This includes ending discrimination for women from ethnic minority backgrounds.

The Plan has been co-created with Black, Asian and Minority Ethnic people, drawing from their lived experience, and developed in collaboration with a wide range of communities and organisations across all parts of Wales and informed by evidence.

The Goals and Actions in the plan cover policy areas across government, including, health, culture, homes and places, employability and skills and education. We are putting in place governance arrangements to implement the goals and actions in the Plan, including an External Accountability Group which will advise, support, co-design with, and challenge Government and wider public services to ensure effective and timely delivery of the Plan and its vision for an anti-racist Wales.

ARWAP includes a specific chapter on Crime and Justice. It outlines the work we are taking forward as Welsh Government, including delivering work on hate crime, setting up the Race Disparity Evidence Unit and highlighting the importance of anti-racism whenever we engage with the UK Government on justice issues. It also includes the work outlined in the Women's Blueprint section above to commission research on the experiences of racially and ethnically diverse women in the justice system.

### Criminal Justice in Wales Anti-Racism Action Plan

The ARWAP chapter also highlights joint work being taken forward by Criminal Justice Board for Wales partners, including Policing in Wales, Welsh Government and Her Majesty's Prison and Probation Service in Wales, on a specific anti-racism plan for the criminal justice system in Wales.

The [Criminal Justice Anti-Racism Action Plan for Wales](#) launched on 8 September, and it will be jointly led and owned by Criminal Justice in Wales partners (including Welsh Government). It is being taken forward by a taskforce led by Emma Wools (Deputy PCC, South Wales Police), Pam Kelly (Chief Constable Gwent Police) and Chris Jennings (Executive Director of HMPPS in Wales). The Plan sets out seven commitments to:

Challenge racism

Build an ethnically diverse workforce

Involve, listen and take action

Be transparent, accountable and co-ordinated

Educate the workforce

Promote fairness

Focus on prevention, early intervention and rehabilitation

Criminal Justice in Wales have engaged with the Black Police Association as part of their approach to co-producing the Plan and ensuring it is grounded in lived experience. The plan will address embedded discrimination in the justice system, including the discrimination faced by women from ethnic minority backgrounds,

### **Youth Engagement and Progression Framework**

The Youth Engagement and Progression Framework is there to ensure that 11 to 18 year olds at risk of disengaging from learning, or who are at risk of youth homelessness, are identified and offered support. The Framework is in place to support girls and boys. Being supported by the Framework can prevent young people from entering the youth justice system or ensure young people within the youth justice system get the support they need to progress into education, employment or training and avoid becoming homeless.

Strengthening the Framework is a Programme for Government commitment, and as part of this work updated guidance on the Framework is scheduled for publication on the 22 September. By strengthening the Framework we want to ensure:

when young people finish school age education, that more of them progress to a destination that is right for them, whether that is education, employment, training or self-employment (including by taking up opportunities under our Young Persons Guarantee)

young people are prevented from becoming homeless

young people's emotional mental health and well-being is improved because they feel that they are doing something that is meaningful to them, and where they feel they are on the right path.

### **Youth Justice Blueprint**

- The Youth Justice Blueprint for Wales, published in July 2019, sets out our vision for youth justice in Wales, taking a ‘children first’ rights approach. This means working in a child-centred rather than service-focused way, meeting the individual needs of children in the justice system or at risk of coming into contact with it. The Blueprint supports women and girls in Wales as part of the wider youth justice cohort.
- The Youth Justice Blueprint is jointly owned and delivered by the Welsh Government, Youth Justice Board, Policing in Wales and Ministry of Justice, working in partnership with leads across Wales. The Blueprint workstreams focus on prevention, pre-court diversion, community, custody and resettlement. We are embedding preventative, child-centred approaches across these areas, helping children across Wales to thrive.
- The Youth Justice Blueprint is aligned with the Violence Against Women, Domestic Abuse and Sexual Violence strategy and will be taken forward through the prevention workstream as part of the development of the Youth Justice Prevention Framework for Wales which will maximise preventative outcomes for VAWDASV particularly among young girls.
- Enhanced Case Management (ECM) is now available to all YOTs in Wales for children in voluntary and statutory contact with YOTs. The mapping of YOT health provision across Wales has been completed to establish what services YOTs have access to in their local area and where there are gaps. Support has been provided to the youth justice sector with resources, training and qualifications to deliver trauma-informed practice (TIP).
- More information on the Youth Justice Blueprint, including the latest Implementation Plan which offers a complete view of the work being taken forward, is available here: [Supporting young offenders | GOV.WALES](#)

### **Girls in the Children and Young People’s Secure Estate – Out of Sight overview**

(Published 5th October 2021) [Out of sight | Centre for Mental Health](#)

The Children and Young People Secure Estate (CYPSE) provides placements for children aged between 10 and 17, either for a young person’s welfare or through the youth justice system. Centre for Mental Health was commissioned to review the needs of girls in the CYPSE by NHS England and NHS Improvement in partnership with the Youth Custody Service. The review is informed by interviews with girls who had been in the CYPSE, conducted by Leaders Unlocked.

*Out of sight* finds that girls entering the CYPSE are a highly vulnerable group, with high levels of trauma and poor mental health. Girls from racialised communities are over-represented in the CYPSE but may be less likely to have their needs recognised and met. Incidents of

serious self-harm are more common among girls than boys in the CYPSE, and of particular concern in single gender settings. This is the most common reason for the use of force or restraint with girls, which can be traumatic and erode trust in staff.

Girls experiencing such high levels of adversity and multiple needs require support that is gender-responsive and trauma-informed, and these approaches are being employed in some settings. At the same time, gaps in community support for vulnerable girls increase their risk of being placed in the CYPSE. There is a crucial need for earlier intervention to support girls who are facing trauma and adversity, and for more community-based alternatives to the CYPSE.

This report provides an overview of key concerns and issues for girls in the CYPSE, and makes recommendations of changes needed to better support girls' needs.

Based on the findings from the report and subsequent stakeholder engagement, the Youth Custody Service has in place a programme of work to improve services for girls. Work is underway to set up a forum to bring together practitioners across all sectors of the (justice only) secure estate caring for girls to consider the findings from the report, share, network and discuss current trends, lessons-learned and best practice.



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Jenny Rathbone MS  
Chair,  
Equality and Social Justice Committee

21 October 2022

Dear Jenny

#### Correspondence from the Wales Governance Centre

I am writing regarding a letter we have received from Dr Robert Jones from the Wales Governance Centre proposing an inquiry into racial disproportionality within the criminal justice system.

As you will be aware our remits overlap, with ours focusing predominantly on scrutinising the constitutional aspects of the justice system and the operation of Welsh Tribunals.

Our [annual report](#) published last week recognises that there are significant challenges facing the operation of the justice system, which deserve detailed analysis and scrutiny. We acknowledge that the inquiry proposed by Dr Jones identifies important issues that need to be investigated.

Regrettably, our substantial legislative workload, which is likely to increase in the next year as result of the UK Government's Bill to remove or reform the majority of retained EU law by the end of 2023, means we are limited in our ability to undertake such inquiries at the current time. Our justice work at the moment focuses on holding to account the Welsh and UK governments on specific issues within our remit. We are also conscious that issues related to racial disproportionality fit within the equality remit of the ESJ Committee.

I am therefore drawing this letter to your attention should this be a matter you wish to pursue in accordance with your Committee's remit.

Yours sincerely,

*Huw Irranca-Davies*

Huw Irranca-Davies  
Chair



Mr Huw Irranca-Davies MS  
Welsh Parliament  
Cardiff Bay  
Cardiff  
CF99 1SN

Dr Robert Jones  
Wales Governance Centre  
School of Law and Politics  
Law Building  
Cardiff University  
Museum Avenue  
CF10 3AX

Email: [REDACTED]

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28 July 2022

Annwyl Mr Irranca-Davies,

The Wales Governance Centre at Cardiff University has been researching the topic of criminal justice in Wales for almost a decade. This research has helped to uncover a range of issues including those relating to sentencing and imprisonment, alternative criminal justice models, the legal economy, and the 'jagged edge' of justice in Wales. Over the past four years our work has also identified clear evidence of racial disproportionality within the Welsh criminal justice system. While it is true that Ministers and Members of the Senedd have referred to our findings on racial disproportionality, there has been no substantial scrutiny of those findings to date.

The purpose of this letter is to express my view that the Legislation, Justice and Constitution Committee should carry out an inquiry into racial disproportionality within the criminal justice system in Wales. To further underline the case for an in-depth inquiry I have provided a brief summary of some of the key areas of concern that I feel are worthy of further consideration. The points below include previously unpublished data.

### **Policing**

- Home Office data show that there is a disproportionate use of stop and search on Black, Asian and Minority Ethnic (BAME) communities in Wales. In 2020/21, there were 23 stop and searches per 1,000 BAME people in Wales, compared with 8 searches per 1,000 White people. There were 56 stop and searches per 1,000 Black (or Black British) people in Wales in 2020/21, 18 per 1,000 for Mixed groups and 16 per 1,000 individuals from an Asian background.

- Data on the number of times police tactics were used show that individuals from a BAME background were overrepresented in police use of force statistics in 2020/21. While the 2011 Census found that 4.4 per cent of the Welsh population belonged to a BAME ethnic group, 9.8 per cent of all incidents of police restraint were against individuals from a BAME ethnic background in 2020/21.
- Individuals belonging to a BAME ethnic group in Wales were also overrepresented within police use of 'Less lethal weapons' in 2020/21. 6.6 per cent of all incidents where a Conducted Energy Device (i.e. a TASER) was used by Welsh forces was against someone from a BAME background in 2020/21.<sup>1</sup>
- 6.2 per cent all arrests made by Welsh police forces in 2020/21 were individuals from a BAME background. Despite comprising 0.6 per cent of the general population, 2.6 per cent of all those arrested in 2020/21 belonged to a Black ethnic group.

### **Courts and Sentencing**

- The Lammy Review in 2017 found that individuals from a BAME background were less likely to enter guilty pleas due to a lack of trust in the criminal justice system. Disaggregated data obtained from the Ministry of Justice show that a slightly higher proportion of White defendants (82.5 per cent) pleaded guilty at the Crown Court in 2019 compared to individuals from a BAME (80.9 per cent) background.
- Although the number of children first entering the criminal justice system has fallen in Wales, the rate has declined unevenly across different ethnic groups since 2010. While the number of White children first entering the criminal justice system in Wales fell by 87 per cent, the number of Asian children declined by 69 per cent and those from Black backgrounds fell by 59 per cent.
- Individuals from a Black (76 per cent), Asian (75 per cent) and Mixed (70 per cent) ethnic group recorded a higher custody rate at the Crown Court in Wales than White (64 per cent) defendants in 2019.

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<sup>1</sup> This total includes all incidents including where a CED device is drawn, aimed, arced, red-dot, drive-stun, fired and angle drive-stun.



- Those from BAME backgrounds are also more likely to receive longer custodial sentences than those belonging to a White ethnic group. Between 2013 and 2020, the average custodial sentence length in Wales was higher for Black (26.7 months), Asian (26.4 months) and Mixed (26.4 months) offenders sentenced in Wales than for those from White (16.7 months) ethnic groups.

### **The Prison and Probation Population**

- Since 2017, the number of BAME prisoners from Wales (based on home address prior to entering custody) has marginally increased (1 per cent) while the overall Welsh prison population has fallen by 7 per cent.
- In 2021, there were 79 Black people from Wales in prison for every 10,000 of the population. This rate compared to just 14 White people per 10,000 of the population. There were 21 Asian people in prison per 10,000 and 44 people from a Mixed background per 10,000 in prison in 2021.
- Individuals from Black and Mixed ethnic groups are over-represented amongst the probation population in Wales. For every 10,000 Black people living in Wales 129 were under probation supervision in 2021. This compared to a rate of 45 per 10,000 for individuals from a White background, 40 for Asian and 85 for those from a Mixed ethnic group.
- The Ministry of Justice's most recent *Ethnicity and the Criminal Justice System* report found that Black prisoners are consistently more likely to serve a higher proportion of their determinate sentences in prison than any other ethnic group. Disaggregated data show that between 2015 and 2018, Mixed prisoners from Wales (63 per cent) served a higher proportion of their determinate sentences in prison followed by Black (61 per cent), White (57 per cent) and Asian (57 per cent) prisoners.

While criminal justice is reserved to the UK Government, the Welsh Government has a clear set of responsibilities for promoting equality and tackling all forms of discrimination in Wales. The overlap and intersection between the reserved and devolved areas means that this topic has yet to receive any kind of serious analysis or scrutiny. The lack of publicly available Welsh-only criminal justice data has only added to the problem of effective oversight. The Ministry of Justice's own *Ethnicity and the Criminal Justice System* report, for example, fails to provide a disaggregated picture for Wales and

England, while the Lammy review in 2017 also focussed exclusively upon trends in 'England and Wales'.

As it currently stands, there is no clear or authoritative understanding of how different communities across Wales experience and interact with the criminal justice system. It is also unknown what steps could and should to be taken by the Welsh Government to promote fairness and tackle discrimination within the criminal justice system. I believe that the points outlined above underscore just how important an inquiry into racial disproportionality within the Welsh criminal justice system is at this time.

I would like to take this opportunity to thank you for your time in considering this letter. If you wish to discuss this subject further or require any additional information please do not hesitate to contact me.

Yours sincerely,

Dr Robert Jones

Minister for Social Justice

Jane Hutt MS

8 November 2022

## **Welsh Government Draft Budget 2023-24**

Dear Jane,

To support our scrutiny of the Welsh Government's Draft Budget 2023-24, we would appreciate some information from you to compliment the information we have requested from the Minister for Education and Welsh Language and the Minister for Health and Social Care.

We would be very grateful if you could provide us with:

- Your overall views on the Draft Budget 2023-34 from an equality and social justice perspective insofar as it relates to children and young people.
- Your views about any sections of the population of children and young people who are likely to be particularly affected by spending decisions within the Draft Budget 2023-24 (e.g. vulnerable groups).
- Information about:
  - How you work with the Minister for Health and Social Care and her Deputies, and the Minister for Education and Welsh Language, to ensure that their budgets advance equality and social justice.
  - How you co-ordinate measures to mitigate Child Poverty across the Cabinet, and your assessment of any costs associated with the development and delivery of the refreshed Child Poverty Strategy, anticipated in 2023.
  - Any discussions you have had with the Minister for Education and Welsh Language in respect of allocations for:

- the impact of child poverty of educational outcomes, including the Pupil Development Grant;
  - the planned spending intended to deliver the Welsh Government’s objective to narrow attainment gaps across all ages;
  - digital inclusion, and any assessment of the extent to which the COVID-19 pandemic and associated use of technology and has led to an increased reliance on learners using their own digital devices and any costs allocated to mitigate this;
  - financial inclusion and its link with the new curriculum; and
  - widening access to higher education among young people from disadvantaged backgrounds and supporting students whilst at university to further social justice and social mobility.
- Allocations for the work of the office of the Children’s Commissioner.

I would be grateful to receive the written information no later than 16 December 2022. I note that the Welsh Government intends to publish the Draft Budget on 13 December 2022. Please contact my clerk if you are concerned about meeting our proposed deadline in light of the budget timetable.

Given the shared interest across committees in some of the areas listed above, I have copied in the chair of the Equality and Social Justice Committee.

Yours sincerely,



Jayne Bryant MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Minister for Health and Social Care  
Eluned Morgan MS

Deputy Minister for Social Services  
Julie Morgan MS

Deputy Minister for Mental Health and Wellbeing  
Lynne Neagle MS

8 November 2022

### **Welsh Government Draft Budget 2023-24**

Dear Eluned, Julie and Lynne,

As last year, we would like written information to support our scrutiny of the Welsh Government's Draft Budget 2023-24. The annex to this letter sets out in detail the information that we would like to receive.

As you may know, Senedd officials have coordinated requests from all Senedd committees to arrange with Welsh Government officials when the Welsh Ministers and Deputy Ministers will give evidence on the Draft Budget. We have requested that you and your officials appear before Committee at 9.30am to 11am on 18 January 2023.

I would be grateful to receive the written information no later than 16 December 2022. I note that the Welsh Government intends to publish the Draft Budget on 13 December 2022. Please contact my clerk if you are concerned about meeting our proposed deadline in light of the budget timetable.

Given the shared interest across committees in some of the areas listed in the annex to this letter, I have copied in the chairs of the Health and Social Care Committee and the Equality and Social Justice Committee.

Yours sincerely,

Jayne Bryant

Jayne Bryant MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



# Annex A: Request to the Minister for Health and Social Services regarding CYPE Draft Budget scrutiny 2023-24

## **Our approach to scrutiny of the Draft Budget**

Our financial scrutiny aims to ensure accountability, promote better decision making and improve value for money in terms of allocations intended to improved outcomes and enhance the rights of children and young people.

It will follow four key principles, as recommended by the Finance Committee:

- **Affordability:** to consider the big picture of total revenue and expenditure, and whether these are appropriately balanced.
- **Prioritisation:** whether the division of allocations between different sectors/programmes is justifiable and coherent.
- **Value for money:** are public bodies spending their allocations well – economy, efficiency and effectiveness
- **Budget processes:** whether they are effective and accessible and whether there is integration between corporate and service planning and performance and financial management.

## **1. Transparency of budget presentation**

Our predecessor committee emphasised the importance of presenting the Draft Budget transparently to enable full and thorough scrutiny. To continue this approach, we request a transparent narrative explanation (and numeric depiction) of the following in respect of the Health and Social Services MEG:

- reductions/removal or increases/additions relating to specific areas of the draft budget compared to previous financial years (e.g. grants being reduced or ceasing to exist altogether/being increased or introduced);
- what proportion any changes to the overall amount previously allocated represent; and
- where exactly this change is being made in the draft budget, and whether money will be returned to/taken from central reserves or allocated to/from other budget lines.
- that Ministers ensure that resources relating to children and young people are presented clearly so that we can identify the assigned resources, assess the extent to which they are being prioritised, and understand how they will deliver value for money.

## 2. Children's rights and the allocation of 'the maximum available resources' for children and young people

As we recommended last year, and as our predecessor Committee continually advocated, we believe a Child Rights Impact Assessment (CRIA) should be undertaken for the Draft Budget as a whole and published as a standalone document, prior to being incorporated in the overall Strategic Integrated Impact Assessment.

We believe this is vital to demonstrate that the Welsh Government is meeting the requirements of the Rights of Children and Young Persons (Wales) Measure. Publishing a CRIA is in line with the arrangements the Welsh Government itself has put in place, which has established the CRIA as 'the agreed' mechanism to support Ministers to meet the duties under that Measure in both the [Children's Rights Scheme itself](#) and the associated [Children's Rights Scheme: manual for Welsh Government staff](#).

In line with assessing the whether 'due regard' has been given to article 4 of the UNCRC and the Welsh Government's duties under the Rights of the Child and Young Persons (Wales) Measure the Committee:

- Requests a copy of the overall Child's Rights Impact Assessment (CRIA) undertaken by the Welsh Government to inform the allocations in the draft Budget 2022-23 **across all its portfolios**,
- If a specific CRIA has not been undertaken, the reasons for this.
- A copy of any alternative integrated impact assessment as well as assurances that this assessment demonstrates that the duty of "due regard" to the United Nations Convention on the Rights of the Child has been exercised.

In respect of the **Health and Social Services MEG**, the Committee request:

- A copy of the completed Children's Rights Impact Assessment template: guidance for staff.
- template for this draft Health and Social Services MEG for 2023-24 which sets out how children's rights are put into effect in these budget allocations, with reference to specific articles in the United Nations Convention on the Rights of the Child as relevant.
- Details of what discussions have taken place with other relevant Ministers in respect of allocations which have a significant impact on children's health and social care, for example the Minister for Social Justice in terms of the budget of the Children's Commissioner for Wales and broader policy issues such as child poverty.



- Information about how the Wellbeing of Future Generations (Wales) Act 2015 has influenced allocations to budget lines within the MEG.
- Information about how equalities, sustainability and the Welsh language have been considered in budget allocations.
- Information about how have you taken gender budgeting into account in budget allocations
- Details and/or examples of any changes made to allocations within the Health and Social Services MEG following considerations of children's rights, equalities, sustainability, the Welsh language, or the Wellbeing of Future Generations.

### **3. Action and BEL allocations in the Health and Social Services Major Expenditure Group**

The Committee requests a breakdown of the 2023-24 Health and Social Services MEG allocations as relevant to children and young people by Spending Programme Area (where applicable), Action and Budget Expenditure Line (BEL) to include:

- Commentary on each of the Actions within the Health and Social Services MEG, including an analysis and explanation of changes from:
  - the Draft Budget 2022-23 to the First Supplementary Budget June 2022; and
  - the First Supplementary Budget June 2022 to the Draft Budget 2023-24.
- A description of any changes to baselines used in the Draft Budget 2023-24 that has been made from the First Supplementary budget June 2022.
- Indicative 2024-25 Health and Social Services MEG allocations as relevant to children and young people and any additional indicative allocations which can be provided.

### **4. Policy and legislation allocations Draft Budget 2023-24**

An update on allocations within the Health and Social Service MEG in the following areas of interest to the Committee including:

- Allocations to deliver all **Programme for Government and Co-operation Agreement** commitments relevant to children and young people and the CYPE Committee portfolio.
- Details of the assessment made of the value for money and affordability of delivering these priorities and objectives and how their cost-effectiveness will be monitored.

- Allocations across the **Ministerial Portfolio** as listed below and as relevant to children and young people and the CYPE Committee portfolio

## **Children's Health**

- Public health as it relates to children and young people, including vaccination
- Obesity strategy
- Research and development in health and social care as it relates to children and young people specific
- Children and young people's mental health services, including neonatal mental health services
- Eating disorder services
- Suicide prevention as it relates to children and young people
- Substance misuse, including any assessment and associated costs in terms of reported rises in vaping among children and young people
- Autism services
- Patient experience, involvement and the citizen's voice

## **Children's Social Care**

- Children's and young people's rights and entitlements, including the UN Convention on the Rights of the Child
- Safeguarding, including any implications arising from the publication of the final report by the Independent Inquiry into Child Sexual Abuse and the Welsh Government's 2019 National Action Plan on preventing and responding to child sexual abuse
- Adoption and fostering services
- Children and young people's advocacy
- Early years, childcare and play, including the Childcare offer and workforce
- Early childhood education and care
- Flying Start for children 0-3
- Families First and play policies

## 5. Detailed information on allocations in respect of children looked after and associated prevention and support measures

The Committee requests detail information on the allocations within the overall Draft Budget 2023-24 as relevant to our recently launched inquiry **Services for care experienced children: exploring radical reform**, including:

- **Before care:** *Safely reducing the number of children in the care system.* Including allocations for family support, edge of care services and parental advocacy.
- **In care:** *Quality services and support children in care.* Including discussions with the Minister for Finance and Local Government about the potential rising costs of children's social care and mitigating any impact on children
- **After care:** *On-going support when young people leave care* including the latest position on the basic income pilot and on funding for When I am Ready both in foster care and the potential expansion to residential care.

## 6. Costs of legislation

- Implementation of the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill in its first year in force and any adjustments to allocations made in light of the first year of implementation.
- Financial implications or anticipated in 2022-23 and 2023-34 of any subordinate legislation relevant to children and young people within the Minister's portfolio.
- Information on the financial impact of any relevant UK Parliament legislation.

## 7. Impact of the cost of living on Draft Budget 2023-24 allocations

Information on the anticipated impact of the cost of living on the Health and Social Services MEG in 2023-24 and the Minister's broader policy responsibilities for:

- The delivery of services to children and young people by the Health Boards in Wales and the impact of the rising costs of energy on this provision.
- Policy and oversight of the provision of all social service activities of Local Authorities in Wales and any associated discussions with the Minister for Finance and Local Government, specifically:
- The impact of the costs of living on children's safeguarding services both in terms of potential increased needs and any increased costs associated with service delivery

- Impact of the costs of living in terms of the delivery of children's social care, for example the increased costs of residential and foster care; the increased costs of living for households supporting Kinship Care arrangements or Special Guardianships.

Document is Restricted

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

Document is Restricted