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Chair  
Legislation, Justice and Constitution Committee  
Senedd Cymru

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07 January 2022

Dear Huw,

I write in relation to the supplementary Legislative Consent Memoranda (LCM) I laid on 20 December 2021 (SLCM (No.3)) and today (07 January 2022 (SLCM (No.4)) in respect of the Police, Crime Sentencing and Courts Bill.

You will I am sure be aware of the complexity of the Bill which has 179 clauses, runs to 304 pages and includes 20 schedules. In addition, the UK Government laid 91 amendments to the Bill on 1 December 2021 and a further 19 amendments were laid on 4 January 2022, all of which required detailed analysis to determine whether or not they fell within the legislative competence of the Senedd. This follows a previous amendment laid in October 2021.

There is a very short time between the latest tranche of amendments laid 4 January 2022 and the date for the Senedd to provide meaningful legislative consent, as the debate is scheduled for 18 January 2022 – this reflects the UK legislative timetable. My officials have worked hard in the lead up to and over the festive period to ensure comprehensive SLCMs have been laid. Unfortunately, due to the volume and complexity of the amendments tabled on 1 December, and subsequently on 4 January, there is very little time left to allow for scrutiny of SLCM (No.3) and SLCM (No.4) ahead of the Senedd debate. Again, this reflects the pace of the UK legislative timetable.

In SLCM (No.3), I aimed to outline the Welsh Government's position on the amendments laid on 1 December 2021, which impact on devolved matters and also reaffirm the Welsh Government's position on the remaining clauses of the Bill which I consider require the consent of the Senedd. However, due to time pressures we omitted clauses 1, 2, 23-30, 32-35, 37-38, 41 & 43 and erroneously included clause 40. To note, clauses 1, 2, 23-37 and 41 and 43 were fully addressed in the LCM laid on 28 May 2021. I have since laid SLCM

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

(No.4), which corrects these errors, includes details of the newly inserted clause 38 and my position on it, and amendments tabled by the UK Government on 4 January 2022 which are within the legislative competence of the Senedd.

SLCM (No.4) offers a complete view of the relevant clauses, addressing the previous omissions and providing a comprehensive view of the clauses which impact on devolved matters. I recommend using it as your first point of reference when considering the Bill.

SLCM (No.3) can be found at:

<https://senedd.wales/media/wanhdp23/slcm-ld14793-e.pdf>

SLCM (No.4) can be found at

<https://senedd.wales/media/cqnj5hix/slcm-ld14812-e.pdf>

I am also enclosing with this letter, for reference, a table setting out the clauses of the Bill as introduced and as amended.

On 16 July 2021 in response to your letter of 2 July, the Llywydd and Chair of the Business Committee suggested that your committee may wish to invite the Chair of the Equality and Social Justice Committee to attend any meetings at which the LCM on the Bill may be discussed. Therefore I am copying this letter to the Chair of the Equality and Social Justice Committee, Jenny Rathbone MS, as well as to all Members of the Senedd.

A handwritten signature in black ink, reading 'Jane Hutt'. The signature is written in a cursive style with a large initial 'J' and a distinct 'H'.

**Jane Hutt AS/MS**

Y Gweinidog Cyfiawnder Cymdeithasol  
Minister for Social Justice

## Comparison table between the original and new version of the Bill 30 November 2021

Original version:

[newbook.book \(parliament.uk\)](https://newbook.book.parliament.uk)

New version:

[newbook.book \(parliament.uk\)](https://newbook.book.parliament.uk)

Clause number on introduction	Original clause description	A amended at report stage clause No
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9	Power to authorise collaboration etc. with other persons	9
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