

Mick Antoniw AS/MS
Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution



Llywodraeth Cymru
Welsh Government

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

seneddLJC@senedd.wales

1 March 2024

Dear Huw,

Thank you for the Legislation, Justice and Constitution Committee's report following the Scrutiny of the Welsh Government's draft budget for 2024-25. Please find my response to the three recommendations contained within the report in Annex 1 below.

Yours sincerely,

A handwritten signature in blue ink that reads "Mick Antoniw". The signature is written in a cursive style and is underlined with a single horizontal line.

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Counsel General and Minister for the Constitution

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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.

Annex 1

Responses to the Recommendations set out in the Legislation, Justice and Constitution's report following Scrutiny of the Welsh Government's draft budget for 2024-25

Recommendation 1

The Counsel General should provide us with a date by which the Welsh Government will publish its first progress report on the Delivering Justice for Wales programme.

I accept this recommendation. The [Delivering Justice for Wales progress report](#) was published on 22 February 2024.

Recommendation 2

When such information is available, the Welsh Government should provide an initial assessment of the expected costs of reform to the Welsh Tribunals, alongside a draft version of the bill which will provide for that reform.

I reject this recommendation. Initial assessments of the expected costs of reform have already been provided by the [Law Commission](#) and in the draft Regulatory Impact Assessment published alongside [the tribunals reform White Paper in June 2023](#). The Regulatory Impact Assessment which will accompany the Bill will set out more fully the expected costs of reform.

It is not our intention to publish a draft version of the Bill prior to its introduction. In his annual Legislative Statement, delivered in June 2023, the First Minister indicated that the Government intended to bring forward legislation relating to the devolved tribunal system in Wales during this Senedd term. As we discussed when I appeared before the Committee earlier this week, the timing of the introduction of such legislation is, of course, subject to the processes for setting the Legislative Programme and will be set out by the new First Minister. There has been significant opportunity for involvement in the policy formulation process through the consultation that has already been conducted by the Law Commission and by the Welsh Government on the back of the White Paper, and we continue to engage with those affected by the legislation as we finalise its content. I look forward to continuing to engage with the Senedd, Committees and stakeholders during the passage of the legislation.

Recommendation 3

The Welsh Government should, following the conclusion of its initial assessment of the report of the Independent Commission on the Constitutional Future of Wales, provide the Senedd with detailed information on how the allocation in the draft budget for 2024-25 to progress the outcome of its work will be used.

I accept this recommendation. As the Committee has noted, the draft budget was set before we received the Commission's final report. We will be considering the final report as a Government, and making our response to the Senedd in due course. There will be a staff cost element to the budget, which will be looked at once the Welsh Government has responded to the Commission's recommendations. That said, it is clear that a substantial programme of work would be required to take forward the Commission's recommendations, several of which would fall to the Welsh Government to lead, while others would require the engagement of the UK Government and other devolved Governments.

As part of our Cooperation Agreement with Plaid Cymru, in the Final Budget published this week we have made additional allocation in a number of areas. We will be providing a further £1m to take forward work on Constitutional Reform. This includes funds to procure research on justice outcomes in Wales and to support preparations for devolution. This provision is set out in [a joint paper](#) setting out a range of areas of agreement where allocations have been made. I will be happy to provide further information to the Committee as discussions progress.