



Llywodraeth Cymru  
Welsh Government

PUBLICATION

# Cabinet Sub-Committee on Justice meeting: 8 July 2021

Minutes of the Cabinet Sub-Committee on Justice meeting on  
8 July 2021.

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## Present (via Teams)

- Rt. Hon Mark Drakeford MS
- Mick Antoniw MS (Chair)
- Jane Hutt MS
  
- Shan Morgan, Permanent Secretary
- Des Clifford, Director General, Office of the First Minister
- Piers Bisson, Director European Transition and Constitutional Affairs
- Will Whiteley, Deputy Director Cabinet Division
- Peter McDonald, Deputy Director, FM Projects
- Diane Dunning, Deputy Director, Legal Services
- Christopher Warner, Deputy Director, Constitution and Justice
- James Gerard, Deputy Director, Justice and Constitutional Affairs
- Karin Phillips, Deputy Director, Community Safety Division
- Gary Haggaty, Deputy Director, Community Safety Division
- Jonathan Jones, Community Safety Division

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- Bethan Phillips, Justice Policy
- Merisha Hunt, Justice Policy
- Andrew Felton, Justice Policy
- Angharad-Thomas Richards, Local Government Democracy
- Jane Runeckles, Special Adviser
- Ian Butler, Special Adviser
- Mitchell Theaker, Special Adviser
- Christopher W Morgan, Cabinet Secretariat
- Damian Roche, Cabinet Secretariat (minutes)

## **Item 1: Terms of reference and proposed ways of working**

1.1 The Counsel General welcomed attendees to the first meeting of the Cabinet Sub-Committee on Justice of the 6th Senedd.

1.2 The Sub-Committee had been established during the 5th Senedd to respond to recommendations made by the Commission on Justice in Wales, calling on the Welsh Government to strengthen leadership and accountability on justice matters.

1.3 The primary focus of the Sub-Committee was to progress recommendations in the report for the Welsh Government, and to further the agenda through discussion with the UK government. The terms of reference reflected this remit.

1.4 The standing membership was the First Minister, Minister for Social Justice and the Counsel General and Minister for the Constitution, as Chair. It was noted that other ministers would be invited to participate in agenda items with particular policy interests for their portfolios, reflecting the close alignment between justice and other policy objectives.

1.5 Maintaining a joined up approach to considering justice issues, alongside other policy areas such as healthcare, education and local government amongst others, would be key to its success in delivering its remit.

1.6 It was agreed that the committee should also consider the government's position on wider matters concerning the justice system, and not simply how the Thomas Report was progressed, as it was vital to maintain a unified approach across departments.

1.7 It was also agreed that it would be useful to invite relevant external attendees from the justice system for particular issues, such as Police and Crime Commissioners and the Police Federation, prosecutors, representatives from the courts, prison and probation services.

1.8 The Sub-Committee agreed the terms of reference and proposed ways of working.

## **Item 2: Live issues – Oral update**

2.1 The Counsel General noted that the issues this committee should keep under consideration related mainly to the various bills and reviews being produced by the UK government. Papers and further discussion on each would be taken as and when decisions needed to be made by the Sub-Committee.

2.2 The first bill to consider was that on judicial review, which was due to be introduced prior to summer recess.

2.3 A bill including provisions for a mandatory retirement age for judges was expected to be introduced before the summer recess, which would include judges sitting in devolved tribunals in Wales.

2.4 The final, but most complicated of the 3 immediate bills to note was the Police, Crime, Sentencing and Courts Bill. The bill had proceeded through the Commons and would be considered next by the House of Lords.

2.5 It was flagged that the Ministry of Justice was currently reviewing the system of criminal legal aid and the means test for all other forms of legal aid, and this work should result in some funding increases.

2.6 A review of the Human Rights Act was also ongoing, and the Lord

Chancellor recently announced his intention to review the Constitutional Reform Act of 2005, which created the Supreme Court and the Judicial Appointments Commission, among other things, so there was much work for the Sub-Committee to monitor.

2.7 The Sub-Committee noted that one area not being progressed by the UK government was its plans for a Royal Commission on Criminal Justice.

## **Item 3: Sub-Committee programme**

3.1 The Counsel General introduced the paper, which asked members to agree a forward work programme that included areas to be taken forward under the current devolution settlement.

3.2 The Sub-Committee discussed the overarching principle that the Thomas Commission had set out, which was full devolution of justice to Wales.

3.3 The Sub-Committee agreed the recommendations in the paper and noted the forward look.

## **Item 4: Update on Blueprints – Youth Justice and Female Offending**

4.1 The Counsel General invited the Minister for Social Justice to provide an update on the Blueprints for Youth Justice and Female Offending.

4.2 It was reported the Blueprints were published in May 2019 and were jointly owned by the Welsh and UK Governments. Delivery was through partnership with the Ministry of Justice, HM Prison and Probation Service, the Youth Justice Board, and the four Welsh Police and Crime Commissioners.

4.3 Key to the successful delivery of the Blueprints would be regular engagement taking place between Welsh and UK government Ministers to

support the development of both Blueprints. To this end, the Minister for Social Justice had recently held a positive meeting with the Parliamentary Under Secretary of State in the Ministry of Justice, Alex Chalk MP.

4.4 The Sub-Committee discussed funding matters and noted the total Welsh Government central budget for Blueprints during 2020-21 was just over a £1 million however, some components were also being delivered via other departmental budgets.

4.5 It was acknowledged that since their publication, the Blueprints had made significant progress.

4.6 The Sub-Committee considered the high-level summary document, which had been produced for both Blueprints, which highlighted key achievements to date and the planned deliverables for the next three-month period. This document would be formally reviewed each quarter with the first review due at end-September 2021.

4.7 The Sub-Committee welcomed progress to date, which included the production of a Female Offending Profile Analysis, which considered the needs and vulnerabilities of women in the criminal justice system in Wales, along with related infographics.

4.8 Significant investment into the 'Visiting Mums' project had also been made, which would help strengthen and maintain family ties for Welsh women held in the secure estate.

4.9 The proposed Residential Women's Centre was a core element of the Female Offender Blueprint.

4.10 'A vision for the future of secure youth provision in Wales' was agreed by Cabinet in January 2021, and recent discussions with the Deputy Minister for Social Services touched upon the interface between welfare and justice in secure provision, related to the custody element of the Youth Justice Blueprint.

4.11 Whilst the Blueprints were not explicitly referenced in the Programme for Government, they continued to be a priority and would assist in driving forward

many crosscutting commitments.

4.12 Much of the progress of the Blueprints to date had been made possible by the strong partnership approach and collaborative working with justice partners, including the UK government.

4.13 The Sub-Committee agreed that, as the work programme progressed and the recommendations of the justice commission developed, careful consideration would need to be given to the ongoing engagement and relationships required under the current devolution settlement.

4.14 The Sub-Committee agreed the paper.

## **Item 5: Any other business**

6.1 The next meeting of the Sub-Committee would be confirmed in due course, but in accordance with the terms of reference, meetings would generally be held on a bi-monthly basis with the flexibility to meet more frequently to respond to emerging justice matters.

Cabinet Secretariat  
July 2021

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