

Huw Irranca-Davies AS/MS  
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros  
Newid Hinsawdd a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate  
Change and Rural Affairs



Llywodraeth Cymru  
Welsh Government

Mike Hedges MS/AS  
Chair  
Legislation, Justice and Constitution Committee  
Senedd Cymru

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January 2024

Dear Mike,

Thank you for your letter of 14 November 2024 requesting detail on our proposed spending set out in the Welsh Government's Draft Budget for 2024-25 on justice activities and the accessibility of Welsh law.

### **Breakdown of planned spending across justice-related actions**

A breakdown of planned spending across the main justice-related budgets within the 2024-25 Draft Budget can be found in the annexed table, alongside a narrative description of any year-on-year changes identified. This includes key activity within the *Delivering Justice for Wales* work programme, programmes delivered in partnership with the Ministry of Justice, such as the Women's Justice and Youth Justice Blueprints, and tribunals.

Additionally, there are budget lines across the Welsh Government which contribute less directly to justice outcomes, such as elements of the housing, health, and education budgets. In recent years we have provided the Committee with information about the overall levels of those budget lines, but without being able to isolate the expenditure within those budgets that is going towards justice related expenditure. On reflection, the draft budget allocations for these budget lines will be considered for scrutiny by their relevant subject scrutiny committees for the primary purpose of that budget. As such we have not provided information on these budget lines.

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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.

## *Improving the level of information provided on planned justice spending including changes to the structure and presentation of the budget*

We recognise the Committee's point that it is useful to the Welsh Government to be able to understand justice-related expenditure. It remains our ambition to improve the level of information we can provide about justice expenditure across government. These questions are fair ones, and we recognise the public interest in there being answers available to them. We are grateful to the Committee for the attempts it has made, notwithstanding its significant other workload, to provide cross-cutting scrutiny of justice matters.

As our predecessors have indicated before the Committee, though, it is not currently possible to provide comprehensive granular level information about justice expenditure, as justice-related activity cuts across portfolios and is allocated from within a number of BELs. In some areas, where a BEL covers a range of different activities, the allocation of a draft settlement will not mean that final decisions have been taken as to how the funds within that BEL would then be prioritised, and further work will be needed to assess the extent to which they will be allocated to justice related expenditure.

The absence of a Minister for Justice and a dedicated justice Main Expenditure Group (MEG) places structural limitations on how far the Welsh Government can consider issues through a "justice prism". Creating these structures has been difficult to justify with the limited number of ministers in Cabinet, and the current extent of direct "justice functions" held by Welsh Government. The UK Government's commitment to explore the devolution of youth justice and probation is a significant step, as are the upcoming Senedd reforms, both indicating a direction to improve on these structural limitations in subsequent Senedd terms.

In the meantime, we have provided information on the budget lines that directly contribute to delivering justice-related activities across the separate MEGs in which they reside.

### **Delivering Justice for Wales**

#### *The Delivering Justice for Wales programme*

In February 2024, we published a [progress report](#) following on from the *Delivering Justice for Wales* report in 2022. This progress report remains the best and most recent summary of the outcomes the Welsh Government are hoping to deliver.

The table in the annex sets out proposed expenditure relating to a number of activities that form key parts of the Welsh Government's *Delivering Justice for Wales* programme, including a narrative on changes from the current financial year.

#### *Joint working with the MoJ*

The table attached also details the proposed joint work with the MoJ over the coming year, including the Youth Justice Blueprint, the Women's Justice Blueprint and the VAWDASV Blueprint. We are pleased to have been able to provide additional funding for the important work that has been carried out in these areas. We are also continuing to fund PCSO numbers in Wales, providing funding over and above what is available to forces in England.

We note that the Equality and Social Justice Committee have responsibility for scrutiny of these budget lines, as part of the broader activity to improve community safety and promote equality in Wales.

Additionally, we will be working jointly with the MoJ to explore the devolution of youth justice and of probation, the latter potentially as part of their review of strengthening local involvement in probation decision making across England and Wales.

## *Devolution of Justice*

Any devolution of justice functions must be properly funded. This includes both capital and revenue funding to provide devolved services and increased civil service capacity within the Welsh Government to administer the system. The financial implications of devolving youth justice and probation will form part of the discussions we hold with the UK Government.

In advance of these discussions, it is not possible to indicate the likely uplift to the justice budgets to the Committee. We anticipate any large-scale transfer of powers and functions, including the expansion of budget resources, would come into force in the next Senedd term. Any more immediate transfers of functions would require discussions on the need for in-year funding.

In 2025/26, we anticipate significant activity to negotiate with the UK Government and stakeholders, refine operational policy, and potentially to bring forward the legal mechanism to devolve new responsibilities to Wales. This activity will be funded out of both the Justice Transformation BEL and the Constitutional Reform BEL as part of the wider work programme to implement the recommendations of the Independent Commission on the Constitutional Future of Wales.

[Note for Ministers – these lines can be strengthened prior to the letter being sent if there is progress on agreeing recruitment into new roles, and/or on agreeing to tender the contract on supporting devolution negotiations and preparations]

### **The Welsh Tribunals**

The table attached includes information on the proposed budget allocation for the tribunals service for 2025/26.

Officials have been working with the President of Welsh Tribunals (PWT) to identify the drivers for additional costs and to reduce them for this and subsequent years. Tribunals are fundamentally a demand led service, but we seek to make their operation as efficient as possible. While a number of drivers of increased expenditure are irreversible, some other areas do offer some potential for efficiency with the support of the leadership of the individual tribunals.

Nevertheless, over recent years there have been sustained increases in the running costs of the tribunals service without corresponding increases in the initial provision in annual budgets.

The draft Budget has addressed this position with a provisional allocation for 25/26 of £6.008m, an increase from £4.110 million in 2024/25. This represents a substantial recognition of the importance of the tribunals' work and the challenges faced. The expectation would be that the President and his leadership team would take all possible steps to ensure that expenditure remained within this sum.

### **Tribunals reform**

The Justice Transformation BEL resources the tribunal reform project. *Delivering Justice for Wales* set out our intention to modernise the tribunal system for Wales based on the recommendations of the Commission on Justice in Wales and the Law Commission.

Reform at the scale we propose can only be achieved with primary legislation. The scheduling of legislation is, of course, subject to its own separate process. In the meantime, we continue to take forward work to develop a Bill whether for introduction in this Senedd or

in preparation for the next Senedd. To date, that work has been accommodated within existing resources.

The Draft Budget includes additional resources for the Justice Transformation BEL. A key purpose of this is to allow for intensification of preparatory work to identify, scope and plan for the significant workstreams that will be required to bring a new tribunal system into operation following the passage of legislation.

### **The accessibility of Welsh law**

As explained in previous years, the costs of our work to deliver *The Future of Welsh Law* are met from across a number of portfolios as part of the wider legislative activity of the organisation. That remains the position for 2025-26 and indeed will do so in future years.

Yours sincerely,

### **Huw Irranca-Davies AS/MS**

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd  
a Materion Gwledig

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

### **Julie James AS/MS**

Y Cwnsler Cyffredinol a'r Gweinidog Cyflawni  
Counsel General and Minister for Delivery

## Annex A – draft budget allocations to justice budgets – 2025/26

BEL	MEG	24/25 budget	Proposed 25/26 budget	Impact of changes
Justice Transformation	Climate Change & Rural Affairs	0.48m	0.688m	This BEL funds devolution preparations and tribunals reform. The increase in funds will support staffing of both of these activities and potentially other associated costs.
Constitutional Reform	Climate Change & Rural Affairs	1.997m	2.014m	This BEL also contributes to work in pursuit of devolution of youth justice and probation, by funding (amongst other things) staff to work on these policies. This budget has increased by 1.3% to reflect a pay award uplift and SCAPE impacts
Women's Justice and Youth Justice Blueprints	Social Justice	1.092m	1.292m	This BEL delivers work to support women and children in the justice system, including the One Wales service which we jointly commission with justice partners. The increase in budget will support an expansion in activity, with a particular focus on youth justice. We are working with partners to define this activity in full so it can deliver the best possible outcomes.
Community Support and Safety	Social Justice	15.488m	16.003m	This BEL supports our funding for Police Community Support Officers who are employed and tasked by the Welsh forces and British Transport police. We anticipate

				the additional approximate 3% of funding will primarily be used to support any salary rises for PCSOs in 2025-26.
Tribunals	Central Services and Administration	4.15m	6.008m	This increase will regularise the tribunals' budgetary position, as in-year injections of funds have long been needed.

## Annex B – list of budget lines that indirectly contribute to justice policy outcomes

The allocations to these budget lines are being scrutinised by the policy scrutiny committees which oversee the primary purpose of the budget lines.

SPA	BEL
Central Services and Administration MEG	
Central Programmes	Civil Contingencies & National Security
Welsh Language	Welsh Language
Housing and Local Government MEG	
Housing Policy	Homelessness
Social Justice MEG	
Equality, Inclusion & Human Rights	Equality, Inclusion & Human Rights
Equality, Inclusion and Human Rights	Cohesive Communities
Supporting Communities	Basic Income
Supporting Communities	Advice Services
Violence against Women, Domestic Abuse and Sexual Violence	Violence against Women, Domestic Abuse and Sexual Violence
Economy, Energy and Planning MEG	
Sectors & Business	Business Wales
Skills	Employability Including Young Persons Guarantee
Sectors & Business	Valleys Task Force
Skills	Apprenticeships
Social Partnership	Social Partnerships
Education MEG	
Wellbeing	Offender Learning
Wellbeing	Whole School Approach to Wellbeing
Health and Social Services MEG	
Health Central Budgets	Mental Health
Health Central Budgets	Substance Misuse
Healthcare Inspectorate Wales	Healthcare Inspectorate Wales
Supporting Children	Children and Communities Grant (“CCG”)
NHS Delivery	Core NHS Allocations
Supporting Children	Supporting Children
Social Care	Sustainable Social Services
Supporting Children	Support for Families and Children
Cafcass Cymru	Cafcass Cymru