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## Chair's foreword

The Welsh Government's guide to the Anti-Racist Wales Action Plan closes with: *"Without action nothing changes. Indeed, now we need action, not words."* We agree wholeheartedly.

In Wales today, every community is enriched by a mix of people from different parts of the world. We must celebrate this fact and pay tribute to the contribution that people from all backgrounds have made to our national story. Sadly, even in the NHS, where at least half of all doctors and nurses were born abroad, many experience racism and discrimination.

Wales has set itself the aim of becoming an anti-racist nation by 2030, a mere six years hence. That requires us to be active, not passive. To resist, rather than resign ourselves to racial discrimination. And to recognise that it is time for action, not words.

We have found widespread support for what the Welsh Government is seeking to achieve with the plan. Its scale and ambition is commendable and the starting point for all of us is that most stakeholders are supportive of its aims. But we fear this compilation of good intentions will struggle to make meaningful progress unless the complexity of its governance arrangements are simplified and the role of partner organisations are better explained and clarified. Operational issues in health, education and criminal justice need to be addressed if we are to ensure outcomes for people from ethnic minority backgrounds are no worse whether working in, or in receipt of, services from the public sector in Wales.

Our sincere thanks, as always, go to those who took part and whose commitment to anti-racism gives us cause for optimism as we take action to realise the plan's aims.



**Jenny Rathbone MS**

Chair of the Equality and Social Justice Committee

## Recommendations

Figure 1 - Our three strategic areas of recommendation..... 10

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**Recommendation 1.** The Welsh Government should continue performing a central leadership role by prioritising actions that demonstrate its commitment to an anti-racist Wales. These should include: ..... 16

- redoubling efforts to diversify its workforce by the 2025-26 financial year and sharing best practice in relation to anti-racist recruitment, mentoring and retention policies with other organisations; ..... 16
- improving its performance on narrowing the ethnicity pay gap in 2024-25 and eliminating it by 2025-26; ..... 16
- ensuring that resources are deployed wisely by publishing a definitive breakdown of the identifiable funding and resources available to support the ArWAP for 2023-24, 2024-25 and every remaining financial year for the lifetime of the plan. .... 16

In addition to timescales implied above, we would welcome an update on this recommendation by October 2024..... 16

**Recommendation 2.** The Welsh Government should conduct a rapid review of the structures established to facilitate collaboration and oversee implementation of the ArWAP. The review must: ..... 20

- examine whether existing arrangements are maximising the potential for high quality collaboration and effective implementation of the ArWAP and, where possible, seek to streamline and simplify existing structures; ..... 20
- consider how a greater sense of parity of esteem and recompense between paid professionals and those not contributing in a professional capacity (i.e. contributors who are not being paid for their time) can be ensured in future collaboration; ..... 20
- clarify the difference between lead and partner organisations and establish mechanisms which ensure that every action has a designated lead alongside a list of named partners; and ..... 21
- map out the new and existing governance structures for the purposes of comparison in an easy-to-understand infographic which sets out in plain language the roles and

responsibilities of everyone involved in implementation and the relationship or interaction between them..... 21

The review should be concluded by the end of July 2024 and the outcomes shared with the Senedd no later than by the end of September 2024..... 21

**Recommendation 3.** The Welsh Government should consider utilising the expertise of an external organisation to examine the SEPs of each public body in order to identify improvements as part of the setting of new Plans in April 2024 and report back by October 2024..... 21

**Recommendation 4.** The Welsh Government should create a one-stop shop dedicated to the Anti-racist Wales Action plan on its website. This should be launched with the support of a communications campaign to raise awareness among other organisations and the public. The microsite should include: ..... 23

- all relevant materials including events and stakeholder bulletins, minutes of meetings and links to research and publications by the RDEU;..... 23
- a dashboard summarising progress towards key milestones; and..... 23
- an interactive space or online forum to facilitate dialogue and collaboration..... 23

The aim should be to launch the microsite by October 2024..... 23

**Recommendation 5.** The Welsh Government must improve the quality and availability of data to support the plan and publish a finalised monitoring and evaluation framework as a priority. The monitoring framework must be available to all organisations involved in the delivery of the plan and should be rolled out no later than October 2024. .... 27

**Recommendation 6.** We recommend that the Welsh Government recognises that failing to provide adequate interpretation to individuals with incomplete command of either English or Welsh in a medical situation is unacceptable by redoubling efforts to eliminate the use of family members as interpreters in medical settings. In particular, it must ensure implementation of the recommendations from our report and the HEAR 2 report as a matter of priority and provide an update on completion no later than April 2025..... 29

**Recommendation 7.** The Welsh Government should work with the health and social care sector to: ..... 31

- deliver a safe, reliable and consistent way to report racist incidents and behaviour; and 31
- ensure the rollout of Active Bystander training for the health and social care workforce. 31

The new system for reporting and monitoring racist incidents should be ready to launch within a year, and no later than by the end of April 2025..... 31

**Recommendation 8.** The Welsh Government should raise awareness of the anti-racist Wales agenda by dedicating a forthcoming INSET day to the theme of anti-racism in the context of the new curriculum. It could also be used as an opportunity to showcase best practice from across Wales, the UK and internationally. The dedicated INSET day should take place nationwide at an appropriate point during the 2024-25 academic year..... 33

**Recommendation 9.** The Welsh Government must ensure that the revised anti-bullying guidance emphasises a zero tolerance approach to racism and racist abuse and bring forward proposals that would ensure greater consistency across all local authorities in the logging, monitoring and reporting of racist incidents by schools and other education settings. The new system for reporting and monitoring racist incidents should be ready to launch within a year, and no later than the end of April 2025..... 35

**Recommendation 10.** The Welsh Government should establish a Welsh criminal justice observatory and seek further opportunities for collaboration with academia in the context of the ArWAP. An update on both should be provided by April 2025..... 36

## 1. Background

1. The purpose of the Anti-racist Wales Action Plan (ArWAP) is to “make a measurable difference to the lives of Black, Asian and Minority Ethnic people”.<sup>1</sup> The overall vision is for an anti-racist Wales by 2030. How to ensure that the Welsh Government can meet the objectives of the ArWAP is a central question in this report.
2. In March 2023 we asked stakeholders what our proposed inquiry into an anti-racist Wales should focus on.<sup>2</sup> Many participants spoke of consultation fatigue; rather than continue to share their lived experience they wanted to see what was changing and what impact it was having. They wanted our inquiry to focus on action and delivery.
3. We agreed terms of reference to reflect this message, these can be found on the [inquiry homepage](#).

### Evidence gathering

4. We gathered evidence via an open public consultation and oral evidence sessions in the Senedd in the autumn of 2023.
5. We held an evidence session with Jane Hutt MS, Minister for Social Justice and Chief Whip (the Minister) and her officials on 4 December 2023.
6. Full details of how we gathered evidence are available in Annex 1 and 2.
7. Our heartfelt thanks goes to all who contributed to our inquiry.

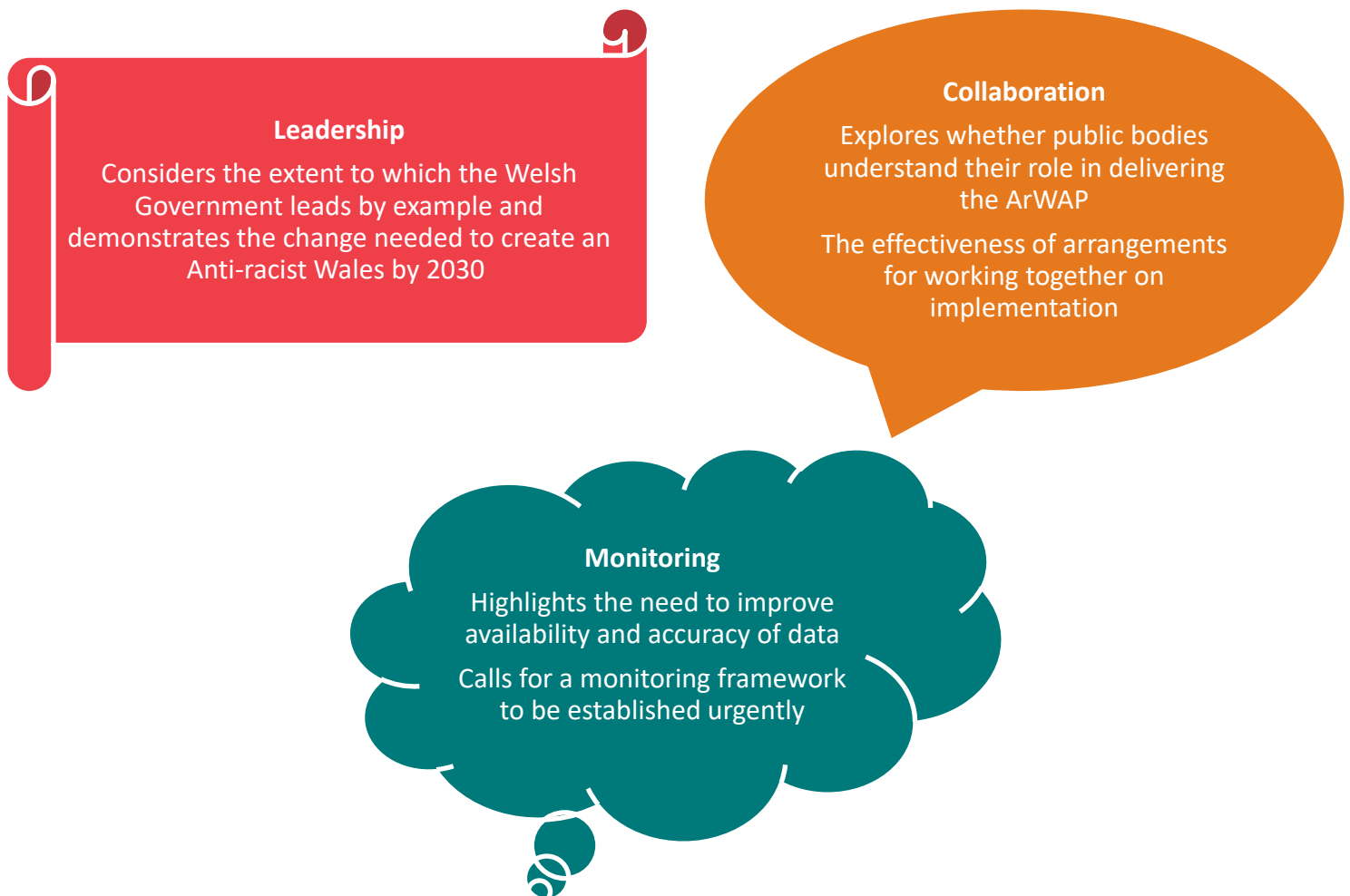
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<sup>1</sup> Welsh Government, [An introduction to an Anti-racist Wales](#), 29 March 2022

<sup>2</sup> Welsh Parliament, Equality and Social Justice Committee (ESJ Committee), [Summary of stakeholder roundtable on Anti-racist Wales](#), March 2023

## Structure of this report

8. Chapters 2, 3 and 4 focus on three strategic areas: leadership, collaboration and monitoring (see Figure 1). Chapter 5 focuses on operational challenges in health, education and criminal justice (see Figure 2).



*Figure 1 - Our three strategic areas of recommendation*





### Health

Inappropriate use of family members for interpretation needs to be stopped

Racist abuse and bullying of staff needs to be addressed

A new mechanism for reporting racist incidents is required



### Education

Need to improve awareness of anti-racism in the new curriculum

New, standardised approach to reporting racist incidents



### Crime and justice

People from ethnic minority backgrounds are overrepresented in the system

Government must work with academia to improve knowledge and research

Figure 2 - Our three areas of operational recommendation relating to health, education and criminal justice

## 2. Leadership and the overall plan

“A leader is one who knows the way, goes the way, and shows the way.”<sup>3</sup>

9. Stakeholders expressed near unanimous support for the overall ambitions and vision of the ArWAP. They included Betsi Cadwaladr University Health Board (BCUHB), Monmouthshire County Council, Colegau Cymru, Higher Education Funding Council for Wales (HEFCW), BAMed, the Catholic Bishops’ Conference of England and Wales, Health Education and Improvement Wales (HEIW), Mudiad Meithrin, the Education Workforce Council (EWC), Social Care Wales (SCW), Natural Resources Wales (NRW), the Welsh Local Government Association (WLGA), and the Equality and Human Rights Commission (EHRC).<sup>4</sup>

10. Tai Pawb said the plan was “comprehensive” and “being led at the highest level” as it is now mentioned by more senior officials and more often in various working groups and boards.<sup>5</sup>

11. Yusuf Ibrahim of Colegau Cymru told us that Wales could lead the way:

*“I often juxtapose the position of being privileged to live in Wales, the only country that has a mission statement at a national level to become anti-racist by a certain date; I think it has been an example of where policy does drive practice, having lived in a world without that commitment, and comparing that to a world that does have that commitment.”<sup>6</sup>*

### Leading by example

12. The Welsh Government has responsibility for overseeing the delivery of the plan, to provide leadership on anti-racism and; meet its own workforce target by 2026: 20% of new recruits to be from an ethnic minority background and 6% of staff at all levels will be from an ethnic minority background.

13. Several organisations including NRW, HEFCW, HEIW and the WLGA emphasised the role of the ArWAP in setting expectations for public bodies and the importance of Welsh Government leadership and leading by example.<sup>7</sup>

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<sup>3</sup> This quote about leadership is generally attributed to John Maxwell

<sup>4</sup> Written evidence, [ARW13 - BCUHB](#), [ARW14 - Monmouthshire County Council](#), [ARW27 - Colegau Cymru](#), [ARW31 - HEFCW](#), [ARW35 - BAMed](#), [ARW28 - the Catholic Bishops’ Conference of England and Wales](#), [ARW31 - HEIW](#), [ARW36 - Mudiad Meithrin](#), [ARW03 - EWC](#), [ARW23 - SCW](#), [ARW25 - WLGA](#), and [ARW06 - EHRC](#)

<sup>5</sup> Written evidence, [ARW24 - Tai Pawb](#)

<sup>6</sup> ESJ Committee, Record of Proceedings, [paragraph 129](#), 6 November 2023

<sup>7</sup> Written evidence, [ARW11 - NRW](#), [ARW04 - HEFCW](#), [ARW31 - HEIW](#), [ARW25 - WLGA](#)

14. Organisations including the EHRC and the Chartered Society of Physiotherapy questioned whether the Welsh Government was leading by example effectively enough and expressed concerns about the progress the Welsh Government had made to reach its own workforce targets.<sup>8</sup> Others such as Estyn and Tai Pawb were more positive about the Welsh Government's leadership in this space.<sup>9</sup>

15. Colegau Cymru emphasised the importance of accountability, Yusuf Ibrahim said:

*"Leaders need to be held to account for their leadership. We're already paying leaders good amounts of money, and they need to be held accountable for: 'What are they going to do?', 'How are they going to measure it?', and, 'How will we know that they are successful?' [...] What are we doing about it if they're not getting it right? Because, for me, it's a privilege to be working in the public sector [...] it is not a right and it's not an entitlement, and, frankly, if people are not going to lead this well, then I think that we need to look at who's leading it across all sectors."<sup>10</sup>*

### How is the Welsh Government leading by example?

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*In its progress report for 2022-23 the Welsh Government:*

- *Recognised that although impact may not yet be felt in the day-to-day lived experience of Black, Asian and Minority Ethnic People, "important foundations have been laid".*
- *Acknowledged that despite action to improve recruitment methods, "it's still a long way from achieving our 20% target" which was "compounded by budget constraints impacting external recruitment".*
- *Noted that the Welsh Government ethnicity pay gap has narrowed from 5.38% in March 2022 to 4.13% in March 2023.<sup>11</sup>*

*The Welsh Government highlighted:*

- *All Senior Civil Servants are required to have performance objectives focused on anti-racism.*
- *Ten senior leaders matched with a mentor from an ethnic minority background.*

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<sup>8</sup> Written evidence, [ARW06 - EHRC](#), [ARW07 - Chartered Society of Physiotherapy](#)

<sup>9</sup> Written evidence, [ARW18 - Estyn](#), [ARW24 - Tai Pawb](#)

<sup>10</sup> ESJ Committee, Record of Proceedings, [paragraph 211](#), 6 November 2023

<sup>11</sup> Welsh Government, [Anti-racist Wales Action Plan: annual report 2022 to 2023](#), 1 December 2023

- *Inductions for new starters, includes a focus on anti-racism.*<sup>12</sup>

## Funding and resources

16. It is difficult to ascertain definitively the overall amount of funding to support implementation of the ArWAP, although some specific funding for culture, heritage and sport organisations has been announced.
17. Several organisations were concerned about long-term prospects for the plan and emphasised the need for sustained investment. The EHRC said “there is a lack of clarity regarding sustainable resourcing, including funding in relation to ArWAP in the short, medium and long term.”<sup>13</sup>
18. The WLGA noted uncertainty regarding the availability of support for implementation from the Welsh Government. This had led to some local authorities holding off progressing with “resource intensive” actions like training until the “Welsh Government’s own position becomes clear”.<sup>14</sup>
19. Professor Uzo Iwobi of Race Council Cymru highlighted the lack of core funding for charities and other grassroots organisations and said that without it “the whole of the delivery of the plan will rest on Government bodies and local authorities”.<sup>15</sup>
20. On the other hand, David Pritchard of Social Care Wales said that a “a lot of what’s being done is being done without additional resource” citing updates to the workforce strategy to reflect the ArWAP as an example.<sup>16</sup>
21. Ceri Harris of the Welsh NHS Confederation (WNHSC) and Farzana Mohammed of Muslim Doctors Cymru however pointed out the limitations of a more voluntary approach, with Dr Mohammed highlighting the risks of burnout.<sup>17</sup> Ceri Harris said:

*“We are expecting a lot from people for nothing, and so we need to value that time. If we want to take this seriously, then you do need to put your money where your mouth is on this one. And so if we want to achieve an anti-racist Wales by 2030, then we need to have those resources.*

*I've been working in equality for 20 years. I literally have to beg, steal and borrow money to do different initiatives. I pay for initiatives out of my own pocket because*

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<sup>12</sup> Equality and Social Justice Committee, [Evidence paper from Welsh Government](#), 4 December 2023

<sup>13</sup> Written evidence, [AWR06 - EHRC](#)

<sup>14</sup> Written evidence, [ARW25 - WLGA](#)

<sup>15</sup> ESJ Committee, Record of Proceedings, [paragraph 208](#), 20 November 2023

<sup>16</sup> ESJ Committee, Record of Proceedings, [paragraph 90](#), 6 November 2023

<sup>17</sup> ESJ Committee, Record of Proceedings, [paragraph 37](#), 20 November 2023

*it's important to me. If you want something to change and you need the culture to change, it has to be everywhere.”<sup>18</sup>*

## How is the Welsh Government resourcing the ArWAP?

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*In its progress report the Welsh Government states:*

*“our commitment to providing tangible resources for community empowerment is evident in various departments distributing grants and launching grassroots initiatives addressing the imbalance in access to funding and support”.<sup>19</sup>*

*The Minister acknowledged: “embedding anti-racism within organisations and dismantling racist structures requires changes in governance structures and operational frameworks – this takes time, resources, and commitment.”<sup>20</sup> She emphasised that ArWAP was “budgeted across by all Ministers” and “I’ve done everything I can to protect my funding base within the social justice budget.”<sup>21</sup>*

## Our view

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Far too many people experience racism, discrimination and prejudice in their day-to-day lives in Wales today. We should all be determined to change this.

The Welsh Government has set itself the goal of building an anti-racist Wales by 2030. By making this a central aim of the ArWAP, the Welsh Government is articulating a vision of society that is based on the best of our shared values. We fully support this and were encouraged by near unanimous support from the diverse range of organisations and sectors who took part in this inquiry.

However, it is important to recognise the scale of the challenge, especially given the short timescales anticipated in the plan. The institutional, political and cultural change required will need to involve all of society. The Welsh Government is uniquely placed to lead that change, provide inspiration to others, and lead by example. In essence, it is time for action, not just words.

We want the Welsh Government to lead by example and continue to perform its central role leading us towards an anti-racist Wales. This must include prioritising actions that will demonstrate its commitment to anti-racism. It should prioritise improving visibility and

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<sup>18</sup> ESJ Committee, Record of Proceedings, [paragraph 102-104](#), 6 November 2023

<sup>19</sup> Welsh Government, [Anti-racist Wales Action Plan: annual report 2022 to 2023](#), 1 December 2023

<sup>20</sup> ESJ Committee, [Evidence paper from Welsh Government](#), 4 December 2023

<sup>21</sup> ESJ Committee, Record of Proceedings, [paragraph 14](#), 4 December 2023

representation by pursuing greater diversity and representation in its workforce and eliminating the ethnicity pay gap by 2025-26.

**Recommendation 1.** The Welsh Government should continue performing a central leadership role by prioritising actions that demonstrate its commitment to an anti-racist Wales. These should include:

- redoubling efforts to diversify its workforce by the 2025-26 financial year and sharing best practice in relation to anti-racist recruitment, mentoring and retention policies with other organisations;
- improving its performance on narrowing the ethnicity pay gap in 2024-25 and eliminating it by 2025-26;
- ensuring that resources are deployed wisely by publishing a definitive breakdown of the identifiable funding and resources available to support the ArWAP for 2023-24, 2024-25 and every remaining financial year for the lifetime of the plan.

In addition to timescales implied above, we would welcome an update on this recommendation by October 2024.

Until citizens from black and minority ethnic backgrounds begin to feel a difference in their lived experiences, the plan cannot be considered a success. One way to reach local communities is through engagement with grassroots charities and other organisations. We heard concerns, however, regarding the long-term sustainability of funding for these organisations, and the resources to support the Plan generally.

We recognise that it is difficult to look too far ahead especially when budgets are set elsewhere. However, the Welsh Government should explore setting out both the funding requirements and indicative allocations to support the ArWAP over a longer time frame. This should include projected spending at least three years ahead and if possible, the estimated funding required for the lifetime of the Plan.

**Conclusion 1.** The Welsh Government should explore setting out both the funding requirements and indicative allocations to support the ArWAP over a longer time frame. This should include projected spending at least three years ahead and if possible, the estimated funding required for the lifetime of the Plan.

### 3. Collaboration with partners

The Welsh Government cannot deliver the ArWAP alone. Creating an anti-racist Wales will require greater awareness and better collaboration across all sectors of society.

#### Collaboration with lead and partners

22. Successful implementation of the plan depends on action taken across the public, private and third sectors, and specifically by the “lead and partners” identified.

23. Several organisations including Community Housing Cymru, the WLGA, Swansea Council and Monmouthshire Council said they were not clear about their role and responsibilities in delivering the actions in the ArWAP.<sup>22</sup>

24. HEIW identified a weakness in that “the plan does not differentiate between who is the lead and who is the partner responsible for the delivery of the actions.”<sup>23</sup>

25. Sue James told us that her evidence to this inquiry was the first opportunity her organisation – BAMEed – had had to discuss the plan with other sectors and that it was difficult for smaller organisations to attend ‘paid-for’ events.<sup>24</sup>

26. The Bevan Foundation highlighted that migrants are often refused accommodation due to landlords’ lack of understanding of the law relating to Right to Rent which only applies to England.<sup>25</sup>

27. Rent Smart Wales told us that between 1 April and 31 October 2023, 986 people completed the Hate Crime Awareness training (100,000 landlords are currently registered with Rent Smart Wales).<sup>26</sup>

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<sup>22</sup> Written evidence, [ARW19 - CH Cymru](#), [ARW25 - WLGA](#), [ARW 22 - Swansea Council](#), [ARW14 - Monmouthshire Council](#)

<sup>23</sup> Written evidence, [ARW31 - HEIW](#)

<sup>24</sup> ESJ Committee, Record of Proceedings, [paragraph 178](#), 6 November 2024

<sup>25</sup> Written evidence, [ARW09 - Bevan Foundation](#)

<sup>26</sup> Written evidence, [ARW37 - Rent Smart Wales](#)

## What progress is being made by the Welsh Government on collaboration?

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*The Minister told us:*

*“we can't deliver the Anti-racist Wales Action Plan just as a Welsh Government. All our partners have to deliver it, and they're bound to deliver it under the Well-being of Future Generations responsibility in terms of a more equal Wales. So, local authorities are key to delivering this, alongside other partners, the health service, higher and further education, and in the private sector.”<sup>27</sup>*

*The Minister said she had met cabinet equality leads four times over the past year, where Anti-racist Wales was on the agenda and that the leadership summit in May 2023 had brought together all local authorities and other public sector leaders.<sup>28</sup>*

*She confirmed that there would be a specific action plan for the private rented sector which “will really focus them on the way forward.”<sup>29</sup>*

### Governance structures and implementation

**28.** There are clear differences in levels of involvement in and knowledge of the structures and processes designed to implement the ArWAP. Several organisations are unclear about what monitoring they need to be carrying out and reporting arrangements. Some stakeholders were concerned that the Welsh Government lacked sufficient capacity to oversee implementation of the plan.<sup>30</sup>

**29.** The EHRC, HEFCW, Colegau Cymru and others said the Welsh Government needed to review, align, and articulate how its various equalities-related strategies and action plans relate to each other.<sup>31</sup>

**30.** The Older People’s Commissioner said many of the actions set out in the plan could and should be achieved by more effective implementation of existing legislation such as the Social Services and Well-being (Wales) Act 2014 or better use of the Public Sector Equality Duty (PSED), especially Equality Impact Assessments.<sup>32</sup>

**31.** Similarly, Estyn and HEIW told us that they were looking to integrate ArWAP actions and other equality-related plans into their Strategic Equality Plans (SEPs). The WLGA

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<sup>27</sup> ESJ Committee, Record of Proceedings, [paragraph 27](#), 4 December 2023

<sup>28</sup> ESJ Committee, Record of Proceedings, [paragraph 28](#), 4 December 2023

<sup>29</sup> ESJ Committee, Record of Proceedings, [paragraph 33](#), 4 December 2023

<sup>30</sup> [See summary of stakeholder roundtable](#), March 2023

<sup>31</sup> Written evidence, [AWR06 - EHRC](#), [ARW04 - HEFCW](#), [ARW27 - Colegau Cymru](#)

<sup>32</sup> Written evidence, [ARW05 - Older People’s Commissioner](#)



confirmed this was the case in local government, with many councils likely to set these in April 2024.<sup>33</sup>

32. The Future Generations Commissioner noted that “many public bodies have equality strategies that sit separately from their well-being statements” and that “integration of anti-racism measures into all strategies and plans is critical to ensuring all actors and departments in public bodies are delivering against them.”<sup>34</sup>

### How does the Welsh Government intend to oversee implementation?

*Several new groups have been established and together provide new structures for overseeing implementation of the ArWAP including:*

- *the Implementation Team;*
- *internal and external accountability groups;*
- *the Criminal Justice Anti-Racism Action Plan Community Engagement Network;*
- *policy sub-groups and regional forums.*

*The Minister described the External Accountability Group as “formidable” and said they are currently performing a role in holding Ministers to account. The annual report 2022-23 reported that:*

*“Eleven Diversity Representatives and eight Experts by Experience are helping hold Government and public services to account.”*

*The Minister confirmed that SEPs were the “root” for action in this area and that setting these during the next phase would provide “a real opportunity, in fact, to bring all our equality plans together.”<sup>35</sup>*

### Our view

#### Collaboration and implementation

It is vital that the far-reaching aspirations of the ArWAP are underpinned by effective governance structures that support collaboration and implementation. To oversee implementation, a complicated set of structures have been established which include an

<sup>33</sup> Written evidence, [ARW25 - WLGA](#)

<sup>34</sup> Written evidence, [ARW26 - Future Generations Commissioner](#)

<sup>35</sup> ESJ Committee, Record of Proceedings, [paragraph 101](#), 4 December 2023

Implementation Team, internal and external accountability groups, policy groups, and regional forums.

Community involvement has been key to shaping the ArWAP and we welcome the commitment to putting people's lived experiences at its heart. However, we note that some stakeholders who had contributed to the plan, particularly stakeholders from community groups and some voluntary sector organisations, felt undervalued and underappreciated. They pointed out that while some representatives taking part in the policy process were paid for their time (usually by their respective organisations), others, usually representing smaller, voluntary organisations and community groups gave their time for free and that this disparity should be recognised and addressed in some way.

We are concerned by evidence which suggests public sector bodies lack clarity on who is responsible for delivering what under the plan. This lack of clarity is compounded by the omission of designated leads and partners and the failure to differentiate between what is expected in either role. We urge the Government to act swiftly to address these concerns, clarify the roles and responsibilities of the various implementation groups and set out their relationship with other organisations as a matter of priority.

The Welsh Government should review current structures to establish whether they are conducive to collaboration and will support effective implementation of the ArWAP. We note that under current arrangements, the schedule of ArWAP meetings could place significant demands on civil servants' and officials' time. For example, we note the intention is for bi-monthly meetings of the Accountability Group, quarterly meetings of the Wales Race Forum, alongside meetings of regional forums and policy groups.<sup>36</sup> The Government should consider whether the burden in terms of time spent in meetings is proportionate and if possible, explore options that would free up time which could be more productively spent supporting activities that relate to delivery of the plan.

**Recommendation 2.** The Welsh Government should conduct a rapid review of the structures established to facilitate collaboration and oversee implementation of the ArWAP. The review must:

- examine whether existing arrangements are maximising the potential for high quality collaboration and effective implementation of the ArWAP and, where possible, seek to streamline and simplify existing structures;
- consider how a greater sense of parity of esteem and recompense between paid professionals and those not contributing in a professional capacity (i.e.

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<sup>36</sup> ESJ Committee, , [Evidence paper from Welsh Government](#), 4 December 2023

contributors who are not being paid for their time) can be ensured in future collaboration;

- clarify the difference between lead and partner organisations and establish mechanisms which ensure that every action has a designated lead alongside a list of named partners; and
- map out the new and existing governance structures for the purposes of comparison in an easy-to-understand infographic which sets out in plain language the roles and responsibilities of everyone involved in implementation and the relationship or interaction between them.

The review should be concluded by the end of July 2024 and the outcomes shared with the Senedd no later than by the end of September 2024.

### Alignment with other duties and plans

We note the concerns of stakeholders that some of the ArWAPs aims and ambitions could be taken forward using existing legal duties such as the PSED, SEPs or the Future Generations Act. Some organisations are already integrating ArWAP into their SEPs alongside other relevant actions. This appears to us to be a sensible approach and we think the Welsh Government should consider working with an external organisation with relevant expertise to examine the SEPs of each public body in order to identify improvements as part of the setting of new Plans in April 2024.

**Recommendation 3.** The Welsh Government should consider utilising the expertise of an external organisation to examine the SEPs of each public body in order to identify improvements as part of the setting of new Plans in April 2024 and report back by October 2024.

### Communicating the Action Plan

**33.** Several organisations including the WLGA, Monmouthshire Council, Swansea Council, Platform, the Royal College of Midwives, the EHRC, and the Chartered Society of Physiotherapists said they were not aware of communication channels and felt they lacked information about progress of the ArWAP.<sup>37</sup>

**34.** BAMEed said “there doesn’t appear to be any definitive mode of communication beyond the echo chamber”.<sup>38</sup>

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<sup>37</sup> Written evidence, [ARW26 - WLGA](#); [ARW14 - Monmouthshire Council](#); [ARW22 - Swansea Council](#); [ARW08 - Royal College of Midwives](#); and the [ARW07 - Chartered Society of Physiotherapists](#)

<sup>38</sup> Written evidence, [ARW35 - BAMEed](#)

**35.** HEIW said that the scale of the change envisaged under the plan required “more robust, pro-active communication” by the Welsh Government especially in terms of progress and delivery.<sup>39</sup>

**36.** RCN Wales said it would welcome more information regarding the work of the ArWAP Accountability Group and that publication of meeting minutes and reports would provide a way of monitoring progress.<sup>40</sup> Plattform echoed this stating that it would welcome “more regular updates from working groups, and for Welsh Government to ensure that meeting minutes are recorded and published for transparency.”<sup>41</sup>

**37.** The Welsh Government told us they had created specific channels of communication to support the plan including: a stakeholder bulletin (with over 1,000 subscribers), online webinars, the Wales Race Forum and the Criminal Justice Network.

**38.** The Minister told us that delivering a targeted campaign to increase public awareness would be one of the plan’s priorities.<sup>42</sup>

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<sup>39</sup> Written evidence, [ARW31 - HEIW](#)

<sup>40</sup> Written evidence, [ARW29 - RCN Wales](#)

<sup>41</sup> Written evidence, [ARW10 - Plattform](#)

<sup>42</sup> ESJ Committee, [Evidence paper from Welsh Government](#), 4 December 2023

## Our view

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In the context of communication, talking the talk is as important as walking the walk. We heard concerns from some stakeholders that at times they feel in the dark about progress with implementing the plan. To improve transparency and to meet demand for information by stakeholders, the Welsh Government should publish regular updates on the latest news and progress in a more proactive fashion. This should include keep a public record of meetings of various governance groups and publishing meeting minutes and reports of any groups involved in delivery of the plan.

**Recommendation 4.** The Welsh Government should create a one-stop shop dedicated to the Anti-racist Wales Action plan on its website. This should be launched with the support of a communications campaign to raise awareness among other organisations and the public. The microsite should include:

- all relevant materials including events and stakeholder bulletins, minutes of meetings and links to research and publications by the RDEU;
- a dashboard summarising progress towards key milestones; and
- an interactive space or online forum to facilitate dialogue and collaboration.

The aim should be to launch the microsite by October 2024.

## 4. Monitoring and evaluation

### Data and the Race Disparity Evidence Unit (RDEU)

39. One of three data units established to provide data, evidence and analysis to inform public policy; according to the Welsh Government, the Race Disparity Unit (RDEU) will be key to monitoring and evaluation of the ArWAP.

40. Throughout the inquiry there were concerns regarding the quality and availability of data to support the plan, particularly data broken down by ethnicity.<sup>43</sup>

41. For example, Estyn said it would be helpful to have sight of both qualitative and quantitative data held by the RDEU and others, as datasets are not always readily available. Estyn noted that this could help to identify disparities and support improvement. However, they also expressed concerns regarding the accuracy of some data citing their experiences as part of the consultation on the ArWAP.<sup>44</sup>

42. Of those who responded to our consultation, only a handful reported having any contact with the RDEU or awareness of its outputs with several stating they were unaware of their work.<sup>45</sup> Social Care Wales and WLGA had had some limited contact with the Unit.

43. Tai Pawb called on the RDEU to engage with each department responsible for delivering ArWAP to identify data gaps in those areas.<sup>46</sup>

44. Mudiad Meithrin, the British Heart Foundation Cymru (BHF Cymru), Race Council Cymru, and the Education Workforce Council all highlighted a lack of readily available data, especially data on ethnicity, in their respective sectors.<sup>47</sup>

45. Due to a lack of Wales-specific data, BHF Cymru used data from England in its submission, and said: “Data limitations in Wales means that the effects of racism on health cannot be properly studied and addressed.”<sup>48</sup> Similarly the Royal College of General Practitioners (RCGPs) said data held by institutions often lacked the level of granularity required to be useful.<sup>49</sup>

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<sup>43</sup> Written evidence, [ARW03 - EWC](#), [ARW39 - Qualifications Wales](#), [ARW29 - Royal College of Midwifery](#), [ARW05 - Older People's Commissioner](#).

<sup>44</sup> Written evidence, [ARW18 - Estyn](#)

<sup>45</sup> Written evidence, [ARW04 - HEFCW](#), [ARW07 - CSP Cymru](#), [ARW22 - Swansea Council](#)

<sup>46</sup> Written evidence, [ARW24 - Tai Pawb](#).

<sup>47</sup> Written evidence, [ARW36 - Mudiad Meithrin](#), [ARW20 - BHF Cymru](#), [ARW02 - Race Council Cymru](#), [ARW03 - EWC](#).

<sup>48</sup> Written evidence, [ARW20 - BHF Cymru](#)

<sup>49</sup> Written evidence, [ARW08 - RCGPs](#)

46. The Welsh Government told us that, since being established, the RDEU has been progressing three programmes: delivery of evidence projects, development of an ArWAP evaluation framework and supporting others with their ArWAP evidence. The Minister told us: “[...] It’s early days for them, they’re still developing.”<sup>50</sup>

### Monitoring impact

47. Several organisations including the EHRC, BCUHB, BAMEed, HEIW, and Swansea Council told us they were unclear about the monitoring they would be required to carry out.

48. The EHRC told us that the plan “needs stronger progress and monitoring arrangements” adding:

*“The lag in formalising strategic goals, measurement frameworks, and setting up the external accountability group is impacting on understanding of the ArWAP’s implementation in year one.”<sup>51</sup>*

49. The EHRC said there is evidence of a lack of confidence in the public sector on submitting data on ethnicity (health and public sector employment data).

50. Tirweddau Cymru Landscapes said they had no formal way to report on their progress (as Designated Landscapes and in the case of National Park Authorities as public bodies) and called for a reporting framework to enable public bodies to at least monitor themselves.<sup>52</sup>

51. Tai Pawb said there is a lack of data on homelessness amongst people with No Recourse to Public Funds (NRPF) and said ArWAP actions in relation to homelessness are not being effectively implemented and need to be reviewed.<sup>53</sup>

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<sup>50</sup> ESJ Committee, Record of Proceedings, [paragraph 74](#), 4 December 2023

<sup>51</sup> Written evidence, [ARW06 - EHRC](#)

<sup>52</sup> Written evidence, [ARW21 - Tirweddau Cymru Landscapes](#)

<sup>53</sup> Written evidence, [ARW24 - Tai Pawb](#)

52. HEIW told us that:

*“Although the actions for health contain intended outputs and impact there remains no clear guidance in the action plan or since its launch of what the performance indicators of these impacts would look like across NHS Wales.”<sup>54</sup>*

53. Several stakeholders including Swansea Council called on the Welsh Government to ensure the actions in the plan are based on SMART (Specific, Measurable, Achievable, Relevant, and Time-Bound) principles.<sup>55</sup>

### How is the Welsh Government monitoring impact?

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*The Welsh Government told us that the regional forums it has established will empower local communities to actively participate in monitoring impact and provide local insight and expertise. Adding that:*

*“Local authorities, health, education, and the third sector, represented respectively in our governance structures, actively contribute to and monitor ArWAP's implementation. The WLGA, WCVA, Wales TUC, EHRC are all members of the External Accountability Group, actively contributes insights, represents their respective sectors to ensure ArWAP progress.”<sup>56</sup>*

### Future data collection

54. Muslim Doctors Wales and the Royal College of Nursing highlighted the role of the NHS Race and Health Observatory in England in facilitating research and informing policy arguing that it could be useful to consider creating an equivalent body in Wales to conduct research in support of ArWAP and health inequalities generally.<sup>57</sup>

55. Civil society group StopWatch called for more transparency and better data gathering in relation to the criminal justice sector.<sup>58</sup> Similarly, Dr Robert Jones referred to the difficulties in obtaining justice data, citing the fact that it has been necessary for him to submit in excess of 1,000 freedom of information requests to access relatively basic figures and statistics. According to Dr Jones, resources for conducting analysis are also limited.

### Our view

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<sup>54</sup> Written evidence, [ARW31 - HEIW](#)

<sup>55</sup> Written evidence, [ARW22 - Swansea Council](#), [ARW31 - EHRC](#)

<sup>56</sup> ESJ Committee, , [Evidence paper from Welsh Government](#), 4 December 2023

<sup>57</sup> Written evidence, [ARW29 - RCN Wales](#); Record of Proceedings, [paragraph 75](#), 20 November 2023

<sup>58</sup> Written evidence, [ARW32 - StopWatch](#)

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Data will play a vital role in achieving the aspirations of the ArWAP. Many organisations lack the skills, knowledge and competence in data gathering and analysis and will be looking to the Welsh Government for leadership.

We have commented numerous times on the work of the RDEU and set out our hope that the Unit's work will begin to have an impact on policy-making. We emphasise that in the context of the ArWAP, the Welsh Government must work with the RDEU on two main priorities which are:

- improving the quality and availability of data to support the plan, particularly data broken down by ethnicity;
- finalising a monitoring and evaluation framework and rolling this out to all the organisations involved in delivery of the plan.

**Recommendation 5.** The Welsh Government must improve the quality and availability of data to support the plan and publish a finalised monitoring and evaluation framework as a priority. The monitoring framework must be available to all organisations involved in the delivery of the plan and should be rolled out no later than October 2024.

## 5. Operational issues in health, education, and criminal justice

Our inquiry has uncovered issues in three specific policy areas. It is vital any policies or procedures that result in worse outcomes for people from an ethnic minority background either working in, or in receipt of services from, the public sector are addressed.

### Access to language interpretation in health

56. Participants at the roundtable discussions expressed concerns that children were being used as translators for their parents in medical examinations.

57. Several healthcare representatives shared examples of the impact language barriers can have on access to health services, including in one instance, a late cancer diagnosis. Dr Shanti Karupiah outlined the real world impact language barriers can have:

*"Sometimes the patient says, 'Oh, I came last time. They didn't have LanguageLine, so I brought my son with me'. And there are cases where the son says one thing, because mum is so embarrassed to say the things that she wants to say, and he interprets, as best he can, and then there's a missed opportunity, near misses and misdiagnosis. I saw a late 50-year-old woman coming in with recurrent issues with urinary tract infections, and I happened to be locuming in that practice. She came in with her son, and then the son looked frustrated. [...] So, when she came, I said, 'I'll use the LanguageLine'. Her son said, 'No, no, no, I can speak the language fine'. [...] I told the patient, 'Is it okay if I take you behind a curtain and we'll do some perineal examination?', and she said, 'Okay', because I suspected something else. When I did the examination, it turned out she had cervical cancer, and when I referred her as a USC—urgent suspected cancer—it came back at stage 4. And this is something that, if we had used LanguageLine appropriately, from the start, there's a possibility we would've picked this up earlier. Because of the communication issue, this was missed."<sup>59</sup>*

58. Muslim Doctors Cymru highlighted work, in England, to increase access to interpreting services within community pharmacy.

59. The Minister told us that the Welsh Government:

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<sup>59</sup> ESJ Committee, Record of Proceedings, [paragraph 54](#), 20 November 2023

*“has developed materials to promote the CALL mental health helpline which is available in 20 languages and is working with Public Health Wales to implement the recommendations from the HEAR 2 Report on access to interpreters amongst asylum seekers, refugees and migrants.”<sup>60</sup>*

## Our view

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We were shocked by some of the evidence we heard regarding mistakes and misdiagnoses that can occur as a result of poor or inadequate language interpretation. These often stem from the wholly inappropriate use of family members as interpreters in medical settings, rather than trained professionals. Our concerns are not new and we previously highlighted the need to address this issue in our report on the needs of migrant women in the context of gender-based violence.<sup>61</sup> The Welsh Government must recognise that failing to provide adequate interpretation to individuals with incomplete command of either English or Welsh in a medical situation is a potential breach of their human rights. Furthermore, they must ensure that medical professionals understand the risks of using family members for interpretation and should expedite implementation of the recommendations from our 2022 report and the HEAR 2 report as a matter of priority.

**Recommendation 6.** We recommend that the Welsh Government recognises that failing to provide adequate interpretation to individuals with incomplete command of either English or Welsh in a medical situation is unacceptable by redoubling efforts to eliminate the use of family members as interpreters in medical settings. In particular, it must ensure implementation of the recommendations from our report and the HEAR 2 report as a matter of priority and provide an update on completion no later than April 2025.

## The health and social care workforce

**60.** The WNHSC said that more action was required to challenge patients who racially abuse health and social care staff. Ceri Harries contrasted the situation in Wales with England:

*“We also need to look at what do we do if we have a patient who is racist towards our staff. At the moment, we don't have a system in place. In England, they have the red card system; here, if we introduced a red card system, that would mean that we would be able to challenge. And so if we did have racist abuse towards our staff, as long as it wasn't life-saving services that we were providing, we could refuse service. That will change a culture. That will say, 'This is not acceptable!'”<sup>62</sup>*

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<sup>60</sup> ESJ Committee, [Correspondence from the Minister for Social Justice and Chief Whip regarding additional information on Anti Racist Wales Action Plan](#), 7 February 2023

<sup>61</sup> ESJ Committee, [Gender-based violence: the needs of migrant women](#), October 2022

<sup>62</sup> ESJ Committee, Record of Proceedings, [paragraph 105](#), 6 November 2023

**61.** RCN Wales referred to its 2019 Employment survey which found that 48% of Asian respondents and 47% of black respondents had experienced bullying from colleagues, in comparison to 38% of white respondents.<sup>63</sup>

**62.** The RCGP said that, its members wanted procedures for dealing with workplace bullying in healthcare settings bolstered and called for Active Bystander training to be made compulsory for all healthcare professionals.<sup>64</sup>

**63.** Velindre University NHS Trust made a similar point and called on the Welsh Government to develop more in-depth training resources, first for the workforce and then patients.<sup>65</sup>

**64.** BCUHB identified several barriers that could prevent staff from attending network meetings. They called for clarity on whether this constitutes a right for the individual as part of their working arrangements to ensure equality of access to these support networks.<sup>66</sup>

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<sup>63</sup> Written evidence, [ARW29 - RCN Wales](#)

<sup>64</sup> Written evidence, [ARW08 - RCGP](#)

<sup>65</sup> Written evidence, [ARW30 - Velindre University NHS Trust](#)

<sup>66</sup> Written evidence, [ARW13 - Betsi Cadwaladr University Health Board](#)

## What is the Welsh Government doing to support the health and social care workforce?

*The Minister told us that:*

- *For the first time in 2022-23, each NHS Wales Board Chair had to outline to the Minister for Health and Social Services what steps they, and their Board members had taken, to demonstrate anti-racism leadership within their organisation.*
- *Diverse Cymru has completed an audit of all-Wales NHS workforce policies through an anti-racist lens. Recommendations from the audit will be incorporated into the protocol for the development and review of all Wales NHS Workforce Policies and key principles and recommendations will be shared for use in local policy review and design processes.<sup>67</sup>*

### Our view

It is deeply troubling that staff in the health and social care workforce face racist incidents and abuse even as they discharge their responsibilities in the service of others. The Welsh Government must ensure that the health and social care workforce feel supported and adopt a zero tolerance approach to such behaviour. It should work with the health and social care sector to deliver a safe, reliable and consistent way to report racist incidents and behaviour and ensure the roll out Active Bystander training for the health and social care workforce.

**Recommendation 7.** The Welsh Government should work with the health and social care sector to:

- deliver a safe, reliable and consistent way to report racist incidents and behaviour; and
- ensure the rollout of Active Bystander training for the health and social care workforce.

The new system for reporting and monitoring racist incidents should be ready to launch within a year, and no later than by the end of April 2025.

We welcome the review by Diverse Cymru of the all-Wales NHS workforce policies through an anti-racist lens. The outcomes of the review should be shared with us and more widely with public and private sector organisations so that learning and best practice can be emulated.

<sup>67</sup> ESJ Committee, [Evidence paper from Welsh Government](#), 4 December 2023

**Conclusion 2.** We would welcome a copy of the outcomes of the Diverse Cymru review of NHS Wales workforce policies and expect the Welsh Government to promote this more widely so that learning and best practice can be emulated.

## Education and the new curriculum for Wales

**65.** In September 2022, Wales became the first nation in the UK to make it mandatory to teach black history in schools. Alongside this requirement, the Welsh Government launched its Diversity and Anti-Racist Professional Learning (DARPL) project in autumn 2022.

**66.** BAMEed said that a lack of guidance on how to implement the vision (of an anti-racist Wales) is "compounded by the scarcity of training opportunities available to educators". They told us that ArWAP was "of limited traction" and that schools and education institutions:

*"appear oblivious to their obligations to work towards Anti-racist Wales by 2030 and equally unaware of the 'Cynefin' work by Professor Charlotte Williams. There needs to be more awareness raising if plans are to succeed."*<sup>68</sup>

**67.** Show Racism the Red Card referred to its research which showed that of the 200 teachers and educators surveyed, only 26% were aware of the report by Prof Williams and only 15 per cent were confident that they understood how anti-racism will fit into the curriculum.<sup>69</sup>

**68.** Qualifications Wales told us that although they cannot directly influence teaching in schools, they were working to embed equality and diversity into new qualifications including the recommendations of the Professor Williams review.<sup>70</sup> BAMEed also cautioned that although helpful to highlight examples of good practice with others, this could place additional burdens on the few places that demonstrate "outstanding work".<sup>71</sup>

## What progress is being made on the curriculum?

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*The Welsh Government described the DARPL project as crucial to realising the ambitions of the new Curriculum for Wales. The Minister highlighted that 20,000 leaders and educators engaged in live events, consultations and accessed resources during the 2022/23 academic year.*

*The annual report 2022-23 highlights a number of developments, including:*

- *Promoting DARPL across the UK and internationally.*

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<sup>68</sup> Written evidence, [ARW35 - BAMEed](#)

<sup>69</sup> ESJ Committee, Record of Proceedings, [paragraph 146](#), 6 November 2023

<sup>70</sup> Written evidence, [ARW39 - Qualifications Wales](#)

<sup>71</sup> Written evidence, [ARW35 - BAMEed](#)

- *Extending DARPL to Further Education and Early Years.*
- *Funding a PhD doctorate to evaluate feedback from DARPL and gauge what schools need to support the next steps.<sup>72</sup>*

*The Minister also referenced the Children’s Commissioner’s findings that “Schools who mentioned involvement and engagement in DARPL training were generally very positive about their experiences.”<sup>73</sup>*

## Our view

Anti-racism is a key theme in the new curriculum for Wales and we welcome mandatory teaching of black history as part of this. However, it is worrying that teachers are reporting such low levels of awareness of key developments in this area such as the Cynefin report or DARPL. The Welsh Government should prioritise raising awareness of both ArWAP and the anti-racist Wales agenda more broadly by dedicating a forthcoming INSET day to the theme of anti-racism in the context of the new curriculum. It could also be used to showcase best practice from across Wales, the UK and internationally.

**Recommendation 8.** The Welsh Government should raise awareness of the anti-racist Wales agenda by dedicating a forthcoming INSET day to the theme of anti-racism in the context of the new curriculum. It could also be used as an opportunity to showcase best practice from across Wales, the UK and internationally. The dedicated INSET day should take place nationwide at an appropriate point during the 2024-25 academic year.

## Racism in schools

**69.** In November 2023, the Children’s Commissioner for Wales published a report on racism in secondary schools. It highlighted the normalisation of everyday racism and the barriers to reporting.

**70.** RCC told us that many people from ethnic minority backgrounds “don’t have confidence that education settings have effective policies to prevent racist bullying/micro aggressions and that these are dealt with effectively when they do occur.” Adding that many education institutions in Wales do not have anti-racism policies or escalation mechanisms.<sup>74</sup>

<sup>72</sup> Welsh Government, [Anti-racist Wales Action Plan: annual report 2022 to 2023](#), 1 December 2023

<sup>73</sup> ESJ Committee, , [Correspondence from the Minister for Social Justice and Chief Whip to the Chair regarding additional information on Anti Racist Wales Action Plan](#), 7 February 2024

<sup>74</sup> Written evidence, [ARW02 - RCC](#)

71. The Welsh Refugee Council and Welsh Coalition said feedback from lived experience experts describe schools as often being hostile environments, where bullying is rife and which have left significant numbers of children not wanting to attend.<sup>75</sup>

72. Show Racism the Red Card told us that in terms of logging and reporting racist incidents by schools there was a lack of consistency across local authorities.<sup>76</sup>

73. The Minister told us that:

*“one of the important developments that was taking place anyway is that education officials are updating our statutory anti-bullying guidance for schools and local authorities. It’s expected to be published for consultation in the new year. I think that update to the statutory anti-bullying guidance is critically important. But also, I think this links to how we collect data as well, assess if we need to make regulatory changes, just to ensure that we are addressing some of the points that are coming out of our consultation, when we do it, on the anti-bullying guidance.”<sup>77</sup>*

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<sup>75</sup> Written evidence, [ARW34 - Welsh Refugee Council](#)

<sup>76</sup> ESJ Committee, Record of Proceedings, [paragraph 184](#), 6 November 2023

<sup>77</sup> ESJ Committee, Record of Proceedings, [paragraph 24](#), 4 December 2023



## Our view

Schools need to be safe spaces for all learners and it is deeply concerning that some do not have confidence in the response of schools to racist incidents or behaviour. The Welsh Government must ensure that the revised anti-bullying guidance emphasises the zero tolerance approach to racism and take steps to ensure greater consistency across all local authorities in the logging and reporting of racist incidents by schools.

**Recommendation 9.** The Welsh Government must ensure that the revised anti-bullying guidance emphasises a zero tolerance approach to racism and racist abuse and bring forward proposals that would ensure greater consistency across all local authorities in the logging, monitoring and reporting of racist incidents by schools and other education settings. The new system for reporting and monitoring racist incidents should be ready to launch within a year, and no later than the end of April 2025.

## Criminal justice

**74.** Race Council Cymru and Dr Robert Jones highlighted evidence that ethnic minority people are over represented in the criminal justice system at every level in Wales.<sup>78</sup> Dr Jones argued that the ArWAP offered a clear insight into the limitations imposed upon the Welsh Government when operating as a subordinate or “minor partner” in the Welsh criminal justice system. However, he also highlighted an example of the so-called “jagged edge” of devolution in the policy on substance misuse. This is a devolved matter and so the Welsh Government can operate in this space.<sup>79</sup>

**75.** Dr Robert Jones called on the Welsh Government to support research by strengthening links with academia and referred to work by the Wales Governance Centre to establish a criminal justice observatory.

**76.** The Minister in response told us:

*“we have a Cabinet sub-committee on justice, working very closely with Richard Wyn Jones and Rob Jones on the jagged edge. And you've done work on that as well in terms of women in the criminal justice system. So, we're working on all fronts, as far as this is concerned, to get better data, justice data, and, in fact, just in terms of disaggregating data, which for non-devolved is really important for the 'Anti-racist Wales Action Plan', and seeing what the gaps are. But we are making progress in terms of data linkage and working closely with Administrative Data Research Wales, so we can use criminal justice data for this purpose.”<sup>80</sup>*

<sup>78</sup> Written evidence, [ARW02 - Race Council Cymru](#), [ARW12 - Dr Robert Jones](#)

<sup>79</sup> Written evidence, [ARW12 - Dr Robert Jones](#)

<sup>80</sup> ESJ Committee, Record of Proceedings, [paragraph 80](#), 4 December 2023

77. The Minister also told us of challenges in overcoming “the implementation gap and ensuring that the vision for change set out in the Welsh Government and Criminal Justice Board plans happens in practice and that individual police forces, justice agencies etc. produce their own credible and focussed plans to deliver this change”.<sup>81</sup>

### Our view

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That people from ethnic minority backgrounds are over-represented at every level of the criminal justice system in Wales, underlines the need for the Welsh Government to pursue the anti-racism agenda in this space. However, we share the Welsh Government’s sense of frustration at the limits of devolved power and influence in this policy area. We also note the difficulties in accessing information and data relating to the criminal justice system and note that researchers have had to resort to using Freedom of Information requests on numerous occasions. While the debate around long-term criminal justice arrangements will continue, in the short term, it is vital that we strengthen links between academia and policy-makers and improve data and knowledge in this area. We think that the Welsh Government should pursue this by working with partners to establish a Welsh criminal justice observatory. It should also explore opportunities for further collaboration with academia in the context of the ArWAP and foster greater Wales-specific research within the higher education sector.

**Recommendation 10.** The Welsh Government should establish a Welsh criminal justice observatory and seek further opportunities for collaboration with academia in the context of the ArWAP. An update on both should be provided by April 2025.

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<sup>81</sup> ESJ Committee, [Evidence paper from Welsh Government](#), 4 December 2023

## Annex 1: List of oral evidence sessions.

The following witnesses provided oral evidence to the committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed on the [Committee's website](#).

Date	Name and Organisation
6 November 2023	<p><b>Harriet Barnes,</b> Director of Policy and Funding, Higher Education Funding Council for Wales</p> <p><b>Ceri Harris,</b> Head of Equality and Human Rights, NHS Confederation</p> <p><b>Yusuf Ibrahim,</b> Assistant Principal, Cardiff and Vale College</p> <p><b>Sue James,</b> Chair, BAMEed Wales</p> <p><b>Pushpinder Mangat,</b> Executive Medical Director and Responsible Officer, Health and Education Improvement Wales</p> <p><b>David Pritchard,</b> Director of Regulation, Social Care Wales</p> <p><b>Dean Pymble</b> Campaign Manager for Wales, Show Racism the Red Card</p> <p><b>Abyd Quinn-Aziz,</b> BASW Cymru</p>
20 November 2023	<p><b>Debbie Eyitayo,</b> Director of Workforce and Organisational Development, Swansea Bay University Health</p> <p><b>Uzo Iwobi,</b> Founder and CEO, Race Council Cymru</p> <p><b>Dr Robert Jones,</b> Lecturer in the Welsh Criminal Justice System, Cardiff University</p> <p><b>Dr Shanti Karupiah</b> Vice Chair Policy and Public Affairs, Royal College of GPs</p> <p><b>Farzana Mohammed,</b> Muslim Doctors Cymru</p>

Date	Name and Organisation
4 December 2023	<p data-bbox="517 253 1038 322"><b>Jane Hutt</b> Minister for Social Justice and Chief Whip</p> <p data-bbox="517 349 762 418"><b>Amelia John</b> Welsh Government</p> <p data-bbox="517 445 855 515"><b>Rajvi Glasbrook Griffiths</b> Welsh Government</p> <p data-bbox="517 542 762 611"><b>Riaz Hassan</b> Welsh Government</p>

## Annex 2: List of written evidence

The following people and organisations provided written evidence to the Committee. All Consultation responses and additional written information can be viewed on the Committee's [website](#).

Reference	Organisation
ARW01	Chartered Institute of Housing Cymru
ARW02	Race Council Cymru
ARW03	Education Workforce Council
ARW04	Higher Education Funding Council for Wales
ARW05	Older People's Commissioner for Wales
ARW06	Equality and Human Rights Commission
ARW07	Chartered Society of Physiotherapy
ARW08	Royal College of General Practitioners
ARW09	Bevan Foundation
ARW10	Power Up
ARW11	Natural Resources Wales
ARW12	Dr Robert Jones, Cardiff University
ARW13	Betsi Cadwaladr University Health Board
ARW14	Monmouthshire County Council
ARW15	Wales Safer Communities Network
ARW16	Tenovus Cancer Care
ARW17	Welsh Women's Aid
ARW18	ESTYN
ARW19	Community Housing Cymru
ARW20	British Heart Foundation Cymru
ARW21	Tirweddau Cymru Landscapes Wales
ARW22	Swansea Council

Reference	Organisation
ARW23	Social Care Wales
ARW24	Tai Pawb
ARW25	WLGA
ARW26	Future Generations Commissioner
ARW27	Colegau Cymru
ARW28	Catholic Church
ARW29	Royal College of Nursing
ARW30	Velindre NHS Trust
ARW31	Health Education and Improvement Wales
ARW32	Stop Watch UK
ARW33	An individual
ARW34	Welsh Refugee Council and Welsh Refugee Coalition
ARW35	BAMEed Network Wales
ARW36	Mudiad Meithrin
ARW37	Rent Smart Wales
ARW38	Public Health Wales
ARW39	Qualifications Wales
ARW40	Royal College of Midwives

## Additional Information

Title	Date
Summary of stakeholder event	20 March 2023
Consultation letter	18 July 2023