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Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JH/PO/413/25

Jenny Rathbone MS
Equality and Social Justice Committee

26 August 2025

Dear Jenny,

I was glad to attend the Equality and Social Justice Committee meeting on 14 July 2025 on Criminal Justice in Wales. The Minister for Mental Health and Wellbeing extends her thanks for your well wishes.

We welcome your questions and have provided our respective responses below.

Questions for the Cabinet Secretary

1. Whether the mapping of costs related to criminal justice will include a breakdown by service type and geographic area within Wales and how that data might inform future funding decisions or devolution discussions?

Identifying expenditure on criminal justice in Wales is complex, and different elements of this are being taken forward in different ways.

Justice-related activity within Welsh Government cuts across portfolios and is allocated funding from within a number of Budget Expenditure Lines (BELs) across different Main Expenditure Groups (MEGs). In many cases, expenditure will largely be on costs of staff whose time is not precisely divided between justice and non-justice related activity, or forecasts of expenditure cannot be disaggregated in this way. The granularity of detail on budget allocations for justice-related activity does not, therefore, go beyond BEL level.

We have touched on this issue in correspondence on previous budgets with the Legislation, Justice and Constitution Committee during the annual budget process. Information provided to that Committee included BELs that were only partially delivering justice related activity.

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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.

In the Welsh Government response to the LJC Committee's report on the Welsh Government's draft budget for 2025-26, we sought to enhance the clarity of spending by providing a narrative associated with the budget lines, to indicate which activities under that BEL contribute to justice. However, there were limits to the extent to which narrative could clarify the overall quantum of spend on justice related activity within a specific BEL.

Different challenges arise in mapping out reserved justice spending, including that this is not our data to map. Instead, it is held by multiple institutions such as the Ministry of Justice, HM Prison and Probation Service and the UK Treasury. Mapping spending is further complicated by the England and Wales delivery model which can obscure the geographic location of spending. It is therefore necessary to prioritise particular areas for this mapping work.

For example, we are taking active steps to map out devolved and reserved spending on local youth justice services, as part of our preparatory work to facilitate the devolution of youth justice. The first item of the work programme of our Justice Research Programme is to establish the various funding streams available to youth justice teams within local authorities, and to explore opportunities to maximise the effectiveness of this funding. This work will be valuable in assessing the potential financial implication of devolution.

As the committee knows, we are also taking steps to create a Memorandum of Understanding on probation services, exploring the Manchester MOU model with partners to assess its applicability for Wales. This model might assist in providing greater visibility on funding streams to the probation services, both in reserved provision and devolved services that are used in the probation space.

Beyond these areas, it is our ambition that the ongoing work to secure greater disaggregated data will enable spending to be better allocated to Wales or to England and thus allow for more accurate mapping of reserved justice spending in Wales.

Finally, in the longer term, it is our expectation that any further devolution of justice would enable clearer budgetary allocation on justice related activity, and indeed this degree of greater accountability within Wales is one of the arguments for that devolution.

2. The timeline for the publication of information relating to the mapping of justice service costs?

As stated above, the mapping of justice related costs is complicated and we do not necessarily anticipate compiling a full picture as a single piece of work. Work is underway to progress discussions around the devolution of youth justice and probation, as set out in the Written Statement published by the Deputy First Minister on 7 August, and so these are examples of areas where we anticipate having a better map of justice service costs by early 2026.

3. Whether the Welsh Government would hold executive powers in the proposed model in areas like probation and youth justice and how those powers would relate to the UK Government's role?

The exact nature of the Welsh Government's future powers, and the delineation between UK and Welsh Government, in youth justice and probation are topics for discussion with the UK Government.

In relation to youth justice, as the Written Statement referenced above makes clear, we have agreed that officials in both governments would work together to explore options where responsibilities in the youth justice system could be realigned. This included strategic oversight, partnership and governance arrangements and funding of youth justice services as starting points. We also agreed to explore formalising the governance through which UK and Welsh Governments engage. Both legislative and executive functions in relation to youth justice will necessarily be part of that discussion.

In the immediate term, we are seeking greater operational involvement in commissioning of probation services, akin to the model currently in place in Greater Manchester: the powers required to achieve this are also subject to discussion.

These areas of discussion do not reflect the limits of our ambitions; they reflect starting points and we would expect further discussions to follow.

It remains Welsh Government policy that the justice system should in due course be devolved in its entirety, which includes both executive and legislative powers.

4. Which data sets will be disaggregated - particularly on race, ethnicity, gender, and Welsh prisoners in English prisons, and confirm whether this data will be published publicly or retained as internal management data?

We agree with the Committee that all of the areas named are important areas where greater transparency would be beneficial, but we are still at the stage of identifying the feasibility of extracting individual discrete data sets from unpublished data sets owned and operated by the Ministry of Justice. We are also working with Welsh Government policy teams to determine the key areas where an absence of disaggregated data most impacts their work and would, if rectified, have greatest potential to add insight to policy making. The aspiration is to achieve the greatest transparency possible.

5. Clarity on when the data relating to pregnant women will be available?

As above, we are still at the stage of identifying the feasibility of extracting discrete data from unpublished data sets owned and operated by the Ministry of Justice. However, where data relates to very small numbers of people, there is a legal obligation on the data holder, in this case the Ministry of Justice, not to release any data capable of identifying individuals. Pregnant women might be one such area of concern.

6. Whether there is a timeline or action plan in place for achieving a national minimum standard for speech and language support in youth offending teams, and whether dedicated funding will be made available by the UK or Welsh Government to ensure consistent access across Wales?

In January, as part of a wider Debate on Speech and Language Therapists in the Senedd I spoke about Speech Language and Communication needs in the criminal justice system. The Cabinet Secretary for Health and social Care confirmed that Local Health Boards are responsible for determining population health needs and for determining the best way to meet their population's needs.

All Local Health Boards in Wales provide speech and language therapy as a health treatment where it is clinically required. This service is available to all children who are assessed as requiring speech and language therapy in Wales, including children in contact with the justice system, subject to a referral process. Not every child with a speech, language and communication need may require or benefit from specialist therapy. There are a number of other interventions that can support the resolution of SLCN without needing a specialist therapist.

I also set out that it would be for youth justice service teams to provide any further services relating to speech language and communication needs, beyond that delivered by their Local Health Board, in order to deliver on their reserved statutory role.

Local authorities which consider there to be a need for additional provision can employ their own speech and language therapists directly or commission and fund provision via another employer, such as the NHS or private sector. They have access to a number of funding streams which could be used to support this, and our work with local authorities ahead of last year's summit highlighted several examples of where this is already working well. This includes local authorities using the UK Government's Turnaround funding scheme, which has been renewed into 2025-26, to fund provision.

7. What specific interventions the Welsh Government is planning—or calling for—to reduce the number of Black and care-experienced children entering the youth justice and probation systems? How will the WG measure the impact of these interventions over time, particularly in terms of reducing disproportionality?

Medr, the Commission for Tertiary Education and Research, funds tertiary education and research, including school sixth forms, apprenticeships, further education, higher education, and research and innovation. A UK Home Office guide: [Preventing youth violence and gang involvement](#), suggests that success in learning is one of the most powerful indicators in the prevention of youth crime.

We are determined that every child in Wales has the support they need to reach their full potential, access the highest standards of education and to thrive. We acknowledge that some children and young people may experience barriers to learning, particularly within ethnic minority communities. Therefore, it is crucial that the Welsh Government provides support to remove these barriers and ensure equity of outcome.

We are providing a total of £11m to local authorities in 2025-2026 via the Minority Ethnic, Gypsy, Roma Traveller (MEGRT) grant to fund these important support services. This funding has supported the development and embedding of a wealth of expertise and good practice in education settings across Wales. The purpose of the MEGRT grant is to support children and young people who experience barriers to learning, the curriculum and education. These may include linguistic or language barriers, cultural barriers, and/or systemic and institutional barriers.

We remain committed to improving educational outcomes for care-experienced children, whilst recognising the importance of looking holistically at their needs in school. We also want a focus on progress along the child's own learning pathway and for them to build positive relationships with adults and their peers. We are working with stakeholders to produce a suite of good practice guidance documents. These will support local authorities and schools to embed good practice identified as being effective in supporting the needs of care experienced learners. The voice of care experienced children and young people is reflected in the guidance.

Our commitment to care experienced young people's education is matched by a range of support in schools and for post 16 education. Through the Pupil Development Grant, just over £5.6m will be available in this financial year to specifically support care-experienced children in school. The funding aims to raise their attainment by reducing the barriers they often face to achieving their full potential. All children looked after in reception to year 11 also qualify for the School Essentials Grant. It can be used to buy essentials such as uniform, stationery and equipment. The Welsh Government also provides a range of financial support to enable learners to continue their studies in Further Education Institutions.

Along with the work of schools and colleges, £11.4m will be provided to local authorities via our Youth Support Grant in 2025-26 to enable the delivery of a rich and diverse youth work offer, helping ensure young people can fulfil their potential and provide safe spaces to enable them to access the support they need and develop their voice, influence, and place in society. As part of these activities, all local authorities are expected to provide specific activities focusing on equality and inclusion, and to ensure provision reflects the needs of young people regardless of background or circumstance.

The Welsh Government also jointly convenes and co-chairs the Wales Youth Justice Advisory Panel (WYJAP) along with the Youth Justice Board for England and Wales (YJB). Its primary purpose is to bring together senior leaders and enable collective leadership and oversight of the youth justice system. At the January 2025 meeting the Panel reviewed and refined its' strategic focus and agreed three areas for immediate focus; partnership with education and the role of schools as a place of safety, early identification and intervention, partnership with Health and the needs of children who come into contact with the youth justice system and how their needs can be met and partnership with policing and the relationship between youth justice and child centred policing. Minister Dakin attended the most recent WYJAP meeting on 14 July, in support of our continued partnership.

The Anti-racist Wales Action Plan was refreshed and launched on 5 November 2024, taking into account the recommendations of the Equality and Social Justice Committee inquiry into the implementation of the Anti-racist Wales Action Plan. It builds on the foundations in the original plan, in conjunction with the lessons learnt over the first two years and will focus on cross-government delivery, leading to tangible improvement in the outcomes for ethnic minority people in Wales.

The ArWAP goals and actions for 2024-2026 will deliver tangible, measurable outcomes that directly and positively impact on the lives of ethnic minority people at the grassroots level. Achieving this will require the embedding of anti-racism within organisations and dismantling racist structures, requiring changes to their governance and operational frameworks. The refreshed ArWAP takes into account the recommendations of the Equality and Social Justice Committee inquiry into the implementation of the Anti-racist Wales Action Plan: [Anti-racist Wales \(senedd.wales\)](https://www.senedd.wales).

With regard to measuring the impacts of these interventions over time, with particular focus on reducing disproportionality, I visited the Cardiff Probation Office on 10 July, where I met with officials from HMPPS in Wales. I was pleased to hear that the Probation Service in Wales has a disproportionality taskforce that uses data analysis to drive activity aimed at addressing areas where there are disproportionate outcomes.

Using data sets to identify priority areas for activity, departmental leads are commissioned to either explain the disproportionality or take action to change the outcomes (or both). Activity is monitored via the taskforce and outcomes tracked every 3 months to monitor impact. The Probation Service in Wales have ambitious plans to continue to expand the scope of the disproportionality taskforce by bringing in additional data sets over the course of 2025 and we remain closely engaged as this work progresses.

Questions for the Minister for Mental Health and Wellbeing

8. What steps is the Welsh Government taking to negotiate a fair and sustainable funding settlement with the UK Government for prison healthcare, especially in light of rising healthcare demands?

The Welsh Government receives the majority of its funding from the UK Government in the form of a block grant and a proportion of its annual funding from devolved taxes. The Welsh Government does not receive specific funding from the UK Government for prisoner healthcare on an annual basis. In 2014-15, the Welsh Government received a recurrent transfer of £2.544m to support prisoner healthcare in public prisons in Wales. No additional specific funding has been provided to Welsh Government (by the UK Government) in relation to prison healthcare.

Where health boards have direct funding arrangements in place with HMPPS for prison health care, there is more flexibility to agree some elements of funding locally to meet needs. This includes for HMP Berwyn as a relatively new prison, and HMP Parc which is a privately run prison.

I do recognise that the needs of the prison population in Wales are changing, with increased need for the health service. This is something I have already raised with UK Government Ministers.

9. What is the formula for determining the level of funding allocated to prison healthcare by health boards? What oversight is there, if any, of quality assurance? How does the Welsh Government ensure consistency and adequacy across Wales?

Once funding is received from the UK Government, as you will be aware Welsh Ministers, through the annual budget process, will determine the Welsh Government's departmental spending plans. NHS allocations will subsequently be made to health boards. The prison population is included in population estimates used as a basis to determine the percentage shares of NHS allocations across health boards in Wales. It is a matter for individual health boards to determine the funding allocation to prisons in their area.

However, the arrangements are different for Parc Prison and Berwyn. For example, primary care at HMP Parc is funded through a memorandum of understanding between HMPPS and Cwm Taf Morgannwg UHB. For Berwyn, there is a memorandum of understanding between the Welsh Government, HMPPS and Betsi Cadwaladr University Health Board (BCUHB).

While justice and responsibility for prisons is a reserved function, the provision of health services within the prison estate is for Welsh health boards to determine. A Partnership Agreement for Prison Health is in place. The agreement sets out the priorities for improving prison health and states that “prison should be a place where an individual can reform their lives”. It commits us to a “shared objective of ensuring those in prison can live in environments that promote health and well-being and where health services can be accessed to an equivalent standard of those within the community”.

The priorities are built around the agreement that this is a whole prison approach to improving the health and wellbeing outcomes of prisoners in Wales. The Welsh Government’s policy aim is to ensure parity with health and social care services available in the community. We are committed to improving support in the prison estate in Wales, within the context of an increased prison population with higher levels of need in Wales, of the wider demands on the NHS and our overall funding settlement.

For health services specifically, health boards plan services based on local needs, which would include the secure estate, where applicable. There are well established local partnerships arrangements between health, social care and prisons to provide oversight for the local delivery of these services.

10. Will the Welsh Government publish a breakdown of how much each health board allocates annually to prison healthcare?

As above, NHS allocations are made to health boards in Wales. The prison population is included in population estimates used as a basis to determine the percentage shares of NHS allocations across health boards in Wales. It is a matter for individual health boards to determine the funding allocation to prisons in their area.

Yours sincerely,



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