

# Criminal Justice Anti-Racism Action Plan for Wales

Annual Report  
2023-2024



Cyfiawnder Troseddol  
yng Nghymru  
**Criminal Justice  
in Wales**





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# Forewords



I am delighted to share our first Criminal Justice Anti-Racism Annual Report for Wales, showcasing how we are fulfilling the promises we made to ethnic minority people in Wales.

We launched our Criminal Justice Anti-Racism Action Plan for Wales in September 2022, the result of an extensive period of co-production with ethnic minority people across Wales. The Plan acknowledges the history of racism, unfair treatment and race inequality in the criminal justice system and sets out seven commitments that provide criminal justice partners with a

framework to work together to ensure the system is effective, efficient, and promotes fairness.

We recognise that eradicating racism requires continued and sustained societal effort to achieve, but I am proud that our Plan, and the work we are doing together, illustrates our unwavering commitment to this ambition.

The report outlines how much we have achieved so far, including: ensuring the right structures are in place to oversee delivery of all aspects of the Plan; establishing the Independent Oversight and Advisory Panel and Community Engagement Network to ensure we have increased transparency, dialogue and accountability with people from ethnic minority backgrounds; research into the interventions available for those who perpetrate racial hate crimes; delivery of anti-racism training to partners across criminal justice; and development of our communication approach.

Our focus over the coming year will be to ensure we make real change against each of the seven commitments in the Plan, not least ensuring we increase ethnic minority voices and representation across the justice system and improve the data we collect to measure where our joint work and efforts are making a difference.

I look forward to continuing to work with partners and moving closer to our collective ambition of a Wales without racism.

## Amy Rees

**Chair of the Criminal Justice Board for Wales**

We are pleased to present the progress that has been made against the Criminal Justice Anti-Racism Action Plan in its first year. Throughout the year we have worked together to lead and drive the implementation of the Plan across Wales. We are proud of what is being achieved, and the investment that each criminal justice partner is making towards promoting anti-racism.

We are seeing positive changes and finding that very few weeks go by where anti-racism is not being discussed at senior levels and across our wider workforce. We have earnestly been listening to our communities and partners during the year to understand their views about how well we are doing and the issues they continue to face. We know that we have a long way to go for communities to see and feel the changes, and we are alive to the challenges that we still need to overcome. But we believe that the steps being taken are positive and encouraging, and we hope this can be demonstrated within this, our first, annual report.

### Senior Responsible Officers for the Criminal Justice Anti-Racism Action Plan for Wales



## Pam Kelly

**Chief Constable, Gwent Police**



## Emma Wools

**Deputy Police and Crime Commissioner for South Wales**



## Ian Barrow

**Executive Director, HM Prison and Probation Service, Wales and Community Accommodation Services**



As a panel we have been pleased to see the commitment across criminal justice to making the Anti-Racism Plan a reality in its first year. We have been grateful for the opportunities to influence its implementation. The Independent Oversight & Advisory Panel has been meeting for more than a year. In our first year we have worked to understand the varying roles of each of the criminal justice organisations that have signed up to the Plan. We are struck by the vastness of the Plan's ambitions and know that intense work is required across

all partners to make it a reality. We have been working to prioritise our areas of focus in the year ahead so that we can hold criminal justice to account for the issues that truly matter to the public. We look forward to being able to make a difference on behalf of the ethnic minority people of Wales.

### Chantal Patel

**Chair of the Independent Oversight & Advisory Panel**



Over the last year I have attended a number of events that have been part of the criminal justice anti-racism agenda. I have been impressed by the commitment that has been shown by all the leaders involved in the work. There has been a willingness to learn about the intricate dynamics of racism and to understand how the culture of racism has permeated many aspects of the organisations involved. There has also been a willingness to embrace anti-racism as the way forward. I commend these steps as the necessary foundation for working towards developing an anti-racist criminal justice system in Wales.

The next step is to begin the difficult task of implementing the plan in the years ahead and this is where the major challenges lie. The leaders must redouble their efforts and continue to take direct ownership of the process. They need to be visible across all levels of the organisation and help to convey the symbolic and operational significance of anti-racism as a policy that is central to the future of all the organisations involved.

### Professor Emmanuel Ogbonna

**Chair of the Welsh Government External Accountability Group**



# Introduction

It was the first time ever that all of the criminal justice agencies in Wales had agreed to work together...

In September 2022 the Criminal Justice Board for Wales published its Anti-Racism Action Plan. It was the first time ever that all of the criminal justice agencies in Wales had agreed to work together to collectively tackle racism and racial disparity. All criminal justice partners in Wales agreed to collectively develop and deliver against anti-racist actions. This included the four police forces in Wales, the four Police & Crime Commissioners, the Crown Prosecution Service, His Majesty's Prison and Probation Service, His Majesty's Courts and Tribunal Service, and the Youth Justice Board. In addition, the Welsh Government, Welsh Local Government Association and Public Health Wales agreed to support the delivery of the Plan as members of the Criminal Justice Board for Wales.

The Plan's development and publication was a huge step forward in acknowledging the historic racial disparity in criminal justice. It recognised the need for action so that the system in Wales would promote fairness and be anti-racist, and so ethnic minority people in Wales would no longer experience the injustice, unfairness, bias, and prejudice that they experience year after year, day after day. The Plan was co-produced

with ethnic minority people across Wales and contains the actions that they wished to see.

The intention is to work alongside the Welsh Government as it implements the Anti-Racist Wales Action Plan by 2030, with the aspiration of an anti-racist criminal justice system in Wales in the same timeframe.

This is the first report on progress against the Plan, and a report will now be published during each spring of the Plan's duration. As outlined in the Plan, the annual report is itself a step towards greater transparency across the criminal justice system as it aims to be clearer and more upfront about work taking place to tackle racial disparity and promote anti-racism throughout its services.

This report provides updates on progress made under each of the 7 key commitments in the Plan.

- 1  Challenge Racism
- 2  Build an Ethnically Diverse Workforce
- 3  Involve, Listen and Take Action
- 4  Be Transparent, Accountable and Co-ordinated
- 5  Educate the workforce
- 6  Promote Fairness
- 7  Focus on Prevention, Early Intervention and Rehabilitation



# The first year of progress

Throughout 2023-4, the Criminal Justice Board for Wales has worked to set up structures to ensure that the Plan can be delivered effectively. The governance processes for the Plan's delivery, and for the Board as a whole, have been reviewed so that they can operate in more anti-racist and inclusive ways. Leaders have received inputs on anti-racist approaches; criminal justice staff have received inputs on anti-racism and cultural competency; whilst working groups, workstream leads, and dedicated resources have been assigned to deliver multiple aspects of the Plan. Projects have been instigated, and actions are underway under all seven commitments in the Plan.

In May 2023, the Criminal Justice Board for Wales, in conjunction with the Welsh

Government, hosted a 'One Public Service Anti-Racism Summit' in Cardiff. This brought together leaders of all public bodies, including criminal justice partners, to discuss the urgency of action needed for an Anti-Racist Wales. The leaders considered how they needed to work together to truly create change through the 'Criminal Justice Anti-Racism Action Plan for Wales' and the Welsh Government's 'Anti-Racist Wales Action Plan'. Racially minoritised people, including those with a lived experience of the criminal justice system, were invited to address the summit and put forward their views on issues requiring attention.

At the summit, Professor Emmanuel Ogbonna, the Chair of the Welsh Government's External Accountability Group for the Anti-Racist

Wales Action Plan, stated that without continued investment and momentum in delivery of both Anti-Racism Plans, the required changes would not be delivered. He emphasised that the public did not want to see just 'another Plan'. This was a stark reminder to all of criminal justice that everyone needed to remain truly invested in delivering the changes promised.

The summit highlighted the enormity of the change required for a truly anti-racist Wales, including an anti-racist criminal justice system. It re-emphasised the need for continued momentum across all sectors if the systemic racism entrenched in public service was to be eliminated. The Criminal Justice Board for Wales remains entirely focussed on maintaining this momentum.

# Holding Criminal Justice to account

When the Plan was published, it included the commitment to ensure that ethnic minority people in Wales would be invited and encouraged to hold criminal justice agencies to account for their work on delivering the commitments. Whilst this can happen in a number of ways as the agencies engage with their service users and ethnic minority staff, there are also two formal mechanisms through which this now takes place as a result of the Plan: the **Independent Oversight & Advisory Panel** and the **Community Engagement Network**.

Both groups are proving invaluable in ensuring that criminal justice partners are continuously aware of how the Anti-Racism Action Plan is developing on the ground. The voices within the groups enable criminal

justice to better understand whether change is being experienced by individuals and communities affected by racism. They also provide challenge where progress is not being made at the pace communities wish to see, and they are able to ask direct questions on what work is taking place to reach the goals set out in the Plan.



# The Independent Oversight & Advisory Panel

The Independent Oversight & Advisory Panel was appointed in 2022 to oversee the Plan's progress. It consists of 12 people who were appointed through an open process and are remunerated for their time. They work to scrutinise criminal justice for their progress against the Plan, providing test and challenge via bi-monthly meetings and providing advice where possible. A total of 92% of the panel members are from Black and ethnic minority backgrounds. More information on the panel can be found [here](#).

During the panel's first year, members have focussed on understanding the various partner agencies that make up criminal justice in Wales. They have received direct inputs from senior criminal justice leaders in Wales, including Chief Constables of two police forces, and they have been

able to ask questions about their efforts surrounding anti-racism. The panel has also received updates on the key workstreams sitting under the Plan. This has included updates on the work to progress ethnicity data collection and data sharing across criminal justice, and the work to develop anti-racism awareness and training across the system. The panel has also played a role in overseeing the internal governance arrangements that each individual criminal justice organisation has in place to deliver the Plan's commitments. Panel members have been able to provide positive feedback, and have also highlighted areas for additional focus and attention.

One of the key issues the Independent Panel has raised for enhanced attention in the year ahead, is that of improved focus on measuring impact of

success on the ground. The panel is rightly challenging the criminal justice system to consider what success should look and feel like to the Black and ethnic minority people of Wales, ensuring that measuring the perceived impact of change becomes a priority.

Here is the Independent Panel's position statement regarding the Plan's progress after its first year:

“

The desire to embrace anti-racism across criminal justice is commendable and we have seen this commitment throughout the year. It would be fair to say that the Plan has a huge agenda, and that work is required to understand how all the criminal justice agencies are individually developing their approach to the anti-racist agenda. We want to see demonstrable evidence across all organisations. A greater focus on measurable outcomes would be welcomed in the years ahead. We are particularly interested in understanding the impact of the actions being taken in the Plan and we will look to concentrate our efforts on this in the future.



# The Community Engagement Network

A Criminal Justice Community Engagement Network was established in 2023. This online network is chaired by an external partner agency to promote independence. It is attended by organisations across Wales who are led by and/or represent the voices of ethnic minority people across Wales. The network meets every two months to discuss criminal justice issues and for attendees to feed in their experiences, questions and challenges on the work towards an anti-racist criminal justice system in Wales.

During the first year of the network, members have covered a range of issues and provided fair and robust challenge to criminal justice on ongoing areas of concern. The group has continually raised the issues of racial disparity in stop and search in Wales, and have sought reassurances on action being

taken to tackle this disparity. The network has received reassurances on the enhanced community and independent scrutiny taking place within each police force with regard to stop search, and members have positively influenced conversations around making this information more widely available.

The network has made some important points around the collective use of language across criminal justice, and continues to push for agreed, consistent language that promotes inclusivity. In addition, the network has ensured that issues of intersectionality are kept on the agenda for criminal justice. This is something that will require further focus in the years ahead.

The network has positively influenced the work beginning to take place across Wales

regarding fairness for Gypsy Roma Traveller communities. An All-Wales group has been developed to further anti-racism work in this area.

Here is the Community Engagement Network's position statement regarding the Plan's progress after its first year:

“

It has been really positive to be part of, and witness, open and honest dialogue around anti-racism in criminal justice via the Community Engagement Network in its first year. The network feels like a developing community of strength and common purpose. It has allowed our communities to have important issues filtered back to the Criminal Justice Board for Wales.

There seems to be an appetite for organisations to now have open and frank conversations around anti-racist behaviour and adhere to the Plan's objectives. It feels like those in power

are listening and working towards the plan. Progress is taking time, as may be expected in the first year, but it feels like we are seeing the starting roots of change. The culture being created with those in leadership positions feels inclusive.

The current challenge is for the changes we are beginning to be aware of in the network to be felt in our communities. Tangible change is not yet being felt on the ground and we will want to know that this will begin to happen moving forward





# Progress against the plan

This section provides information on the actions undertaken under each of the commitments in the Plan since its launch.

The section also reports on some of the external views that have been fed through regarding various issues in the Plan. Throughout the year Criminal Justice in Wales has been interested in listening to the views of the community and independent voices in relation to all aspects of the Plan. This has taken place in a range of formal meeting channels, but also via the numerous informal meetings, engagement sessions, events, seminars, and conferences that have been attended throughout the year. The views of individuals and partner agencies are invaluable in providing insight into the progress being made on the ground and the areas requiring attention.

We will:



1

## Challenge Racism

**We will be proactive in challenging racism in society where Criminal Justice can have influence, and will work to eradicate racism and racial bias across the system.**

**We will ensure ethnic minority communities are aware of our anti-racist commitments.**

## Progress Against Actions

A Community Engagement Network was formally established in 2023 and is independently chaired by a third sector organisation on behalf of Criminal Justice in Wales. The network consists of individuals and partner organisations who represent and work with ethnic minority people in Wales, including those with lived experience of the criminal justice system. The network puts the Criminal Justice Board for Wales in a stronger position to hear and promote the lived experiences of racially minoritised people in Wales. These voices and experiences can be used to challenge negative stereotypes in society, which can often lead to hate incidents.

An oversight session on hate crime was conducted by the Community Engagement Network in the summer of 2023. This enabled external organisations to understand current hate crime reporting processes and victim provisions in Wales. It enabled the attendees to receive some reassurances of work taking place to enable victim-centred reporting across Wales, and also led to recommendations being made by the network on how police forces and others could improve public communication on these issues.

A Communications Strategy for the Anti-Racism Action Plan has been drafted and will be finalised in 2024. This will include actions to promote positive stories and messages about racially minoritised people in Wales. This will assist with challenging racism and promoting anti-racism in society.

Research has been commissioned and completed on the use of Out of Court Disposals and restorative justice for hate crime perpetrators. This has considered what works and how best to apply such interventions for the benefit of victims and the behaviour change of perpetrators. Existing Hate Crime Behaviour Change programmes in use in prisons have also been considered. This has looked at what may work best for changing the behaviour of those that have committed race hate crimes and incidents. Next steps for All-Wales approaches are now being considered.

During the year, work has begun on the challenging of internal stereotypes across criminal justice through the roll-out of a pilot programme on Cultural Competency for criminal justice staff. The training pilot was commissioned and conducted in the summer of 2023 and led to 250 criminal justice staff deepening their understanding of racism, anti-racism, white privilege and unconscious bias, particularly as they relate to the criminal

justice context. Members of the Criminal Justice Board for Wales also received a number of awareness raising inputs on anti-racism during the year.

In 2023 we reviewed our governance processes to ensure that members of our Independent Oversight & Advisory Panel would be enabled to attend our Community Engagement Network. This will help panel members to be aware of people's lived experience of the criminal justice system so that the experiences and views highlighted can assist them in overseeing and challenging the Criminal Justice Board for Wales on delivery.

Plans have been made for a dedicated session on race hate crime to take place at a Criminal Justice Anti-Racism Taskforce meeting in the spring of 2024. At this meeting external advisers will be invited to outline the key community views and concerns in relation to race hate crime so that solution-focussed conversations can be undertaken in partnership.

## Key Issues Raised by Community Members and Independent Voices in 2023-24

External concerns around hate crime that have been raised during the year have included the attrition rates for hate crime victims, specifically the lack of progress to prosecutions in individual cases. Community members have felt this has sometimes been due to a lack of prosecution by the Crown Prosecution Service (CPS) and due to police dropping the case because of a lack of evidence before this stage. What needs to be better understood is the Code for Crown Prosecutors and sufficient evidence requirements. External partners have relayed that in some cases police have reportedly found it difficult to prove the 'hostility' element of a crime to satisfy the required legal elements of an offence. Race Equality First is currently conducting research on factors that may contribute to successful or unsuccessful hate crime prosecutions. The Criminal Justice Board for Wales will be interested in these findings as they relate to race hate, which are due in 2025.

Other issues raised during 2023 have included the inconsistency in hate crime

service approaches across policing in Wales, and the need for more joined up working on how to best support race hate victims. External partners have acknowledged the vast amount of work going on in this area and have been encouraged by the amount of scrutiny that takes place around hate crime cases in policing. However, they have expressed a need for this to be more widely publicised in order to improve confidence in the system.

## Criminal justice action example

**In 2023, Gwent Police produced a Hate Crime toolkit for police officers. This resource provides information to officers on how best to support hate crime victims, including victims of race hate crime. The toolkit includes information on providing support to those whose first language is not English and to people with cultural and religious needs. The guide includes the importance of providing accessible updates to victims and sensitively supporting them when providing statements.**

We will:



2

## An Ethnically Diverse Workforce

We will increase the representation of ethnic minority people working in the Criminal Justice System as employees and leaders, creating a safer and more inclusive workforce that represents our local communities.

### Progress to date

Individual criminal justice agencies in Wales are undertaking positive action to aim to increase the representation of their Black, Asian and ethnic minority staff. A workforce representation workstream has been set up under the governance framework for the Anti-Racism Plan, and this is scoping out all the current positive action work taking place across criminal justice in relation to recruitment and progression. When the scoping is completed, good practice and gaps will be identified, so that minimum standards can be developed and applied across Wales.

As the Anti-Racism Plan's Communication work is developed in the years ahead there is an intention to improve the advertising, messaging, and outreach in relation to criminal justice careers and the support offered to those applying. This work is currently in its infancy on an All-Wales level but is taking place at individual criminal justice partner levels. Many agencies have attended job and careers fairs throughout the year at events aimed at ethnic minority communities, with the intention of raising the profile of career opportunities available in criminal justice and promoting the ongoing commitment to anti-racism across its culture.

All criminal justice agencies are working on Equality Impact Assessing their recruitment and selection policies and processes. In addition, during the last year a methodology process has been drafted to enable a recruitment policy audit pilot to begin across one or more of the criminal justice agencies in 2024. This pilot will look in-depth at the policies and procedures applied in recruitment through an anti-racist lens. The process will lead to recommendations for change where any bias and unfairness is found. It is intended that the audit process will then be repeated across other criminal justice agencies.

In the last year, work has begun to establish

an 'All Wales Ethnic Minority Staff Support Network' across criminal justice in Wales. In addition, work is taking place to ensure all existing staff networks for ethnic minority staff are well supported and are enabled to test and challenge in their own organisations.

### Key Issues Raised by Community Members and Independent Voices in 2023-24

It is clear that ethnic minority communities are supportive of any move for criminal justice recruitment processes to be fair and accessible for all. However, they also regularly point out that a sole focus on recruitment and numerical targets is not what they wish to see. Whilst there is clear support for the need to increase the representation of Black, Asian and ethnic minority people who work in the criminal justice system, there is also a feeling that internal culture change should be prioritised first. Some members of ethnic minority communities simply do not trust the criminal justice system enough to work in it, and they need to see more action to understand what is being done to address racial disparities before they apply to join. This important point is not

being lost amongst criminal justice partner agencies delivering against this work. It is a stark reminder that work on changing cultures to eradicate racism in all its forms, as well as engagement and communication with the public on how this is taking place, must go hand in hand with any work to address workforce representation issues.

### Criminal justice action example

**His Majesty's Prison & Probation Service (HMPPS) in Wales appointed its first ever Positive Action Officer in 2023. This post will work to encourage and support ethnic minority people to apply to work in the service. HMPPS has also rolled out cultural awareness training during the year.**

**Positive Action Officers and teams also exist in many of the other criminal justice agencies in Wales. Police forces are keenly working to increase their representation and are seeing positive results. For example, in South Wales Police in 2014, a total of 1.8% of the workforce were from ethnic minority backgrounds. Following the establishment of an extensive positive action supportive programme in 2015, with recommendations and sponsorship from the Police & Crime Commissioner, this is now closer to 4%. In Gwent Police, the numbers of ethnic minority police officers are close to double the amount from 4 years ago. The Crown Prosecution Service has also continued to work positively to increase ethnic diversity amongst its workforce. The Criminal Justice Anti-Racism Action Plan is now ensuring that all criminal justice agencies are providing the required focus on the ethnic diversity of their workforce.**



We will:



3

## Involving, Listening and Taking Action

We will better understand the personal and collective experiences of ethnic minority people involved in the Criminal Justice System in order to take action to meet their needs.

We will make sure lived experiences support and drive decision-making for new policy and practice.

## Progress to date

During the first year of the Plan, there has been an urgent need to review ways of working in terms of implementation and oversight. It is accepted that there is a long way to go in improving the ethnic diversity of the criminal justice workforce, including the people involved in policy and decision making in criminal justice. Indeed one of the core commitments of the Plan itself is to work to genuinely improve this representation. But in the meantime, the Criminal Justice Board for Wales has looked to meaningfully consider how it can open up its existing policy and decision making structures to make them more inclusive even before those gaps in employment diversity have improved.

In 2023, the governance surrounding the Plan's delivery and oversight was therefore reviewed and amended. This opened up membership of the Boards and working groups overseeing the Plan to ensure the involvement and inclusion of external voices and lived experience of people from ethnic minority backgrounds. The changes will enable the voices of the Independent Panel members and Community Engagement Network to inform decision making and policy setting at the Criminal Justice Board for Wales. It will also ensure that Black and ethnic minority external advisers assisting Welsh Government with oversight of the Anti-Racist Wales Plan will be aligned to the oversight of the Criminal Justice Plan.

Similarly, during 2023 work took place to increase the representation of ethnic minority women in the governance and oversight that surrounds the Women's Justice Blueprint work across Wales. For example, there is now new external representation of ethnic minority women on the All-Wales Women's Justice Board, which oversees the progress of the work across Wales to ensure fair and tailor-made services for women in the criminal justice system.

One of the key ways in which criminal justice has developed its work to improve involvement

and listening has been in the setting up of the Community Engagement Network. This was commissioned in 2023 and is currently hosted by the third sector organisation, Clinks. This brings together racially minoritised people and third sector organisations across Wales to test and challenge 'on the ground' progress of the Plan's delivery. It is an additional method of oversight to the Plan, building on the formal scrutiny role of the Independent Oversight & Advisory Panel. Further information on the work of the network has been provided earlier in this report.

A draft Communications Plan was also collectively developed between criminal justice partners during the year. When finalised it will take account of the differing communication needs across Wales, including language and digital poverty issues. Work has also been taking place across criminal justice to understand if there are distinct communication and engagement leads in every criminal justice organisation to assist with building local relationships and trust with communities and stakeholders.

Towards the end of 2023, steps were taken to bring together the Welsh police forces with Welsh Government, the Welsh Local Government Association, and third sector partners and individuals to discuss how to meet the distinct needs of Gypsy Roma Traveller communities in the

Plan's delivery. The issues of racism for Gypsy Roma Traveller people remain a serious concern and there is a need for enhanced partnership working to address some of the disadvantages and discrimination that these communities face. The conversations in this area have begun and will lead to a Wales working group commencing in 2024.

## Key Issues Raised by Community Members and Independent Voices in 2023-24

Third sector partners and people from Gypsy Roma Traveller communities have told us that more needs to be done to understand the unique experiences of Gypsy Roma Traveller discrimination across Wales. There is a particular need for communities to understand how the police will implement national policy around unauthorised encampments whilst adhering to the Plan's commitments to anti-racist ways of working. There is also a need for criminal justice agencies to do more to directly engage with Gypsy Roma Traveller community members and to look for ways to do so.

During the year, criminal justice partners have also been increasingly alerted to the importance of balancing

the needs of hearing from people with a lived experience of racism, with the ongoing weight and trauma that can be caused when asking the same people to describe those experiences again and again. Work will continue to take place to better understand how this balance can be addressed. Racial trauma-informed approaches continue to be researched with Public Health Wales, who are core partners in this work.

## Criminal justice action example

**The Crown Prosecution Service in Wales operates Local Scrutiny & Involvement Panels, enabling case decisions to be independently reviewed for lessons to be learned. The CPS strives to include ethnic minority community members at each meeting to ensure decisions can be reviewed by those with a lived experience of racism, and through the lens of anti-racism.**

We will:



4

## Transparency, Accountability and Co-ordination

**We will create greater transparency and accountability across the Criminal Justice System in relation to tackling ethnic disproportionality and promoting an anti-racist approach.**

**We will invite external scrutiny on our performance and ensure effective structures are in place to deliver our commitments.**

### Progress to date

During the first year of the Plan it has been a priority to ensure that transparency and accountability has been improved across criminal justice in relation to racial disparity and the work taking place to eliminate it. As outlined in the previous section, the governance surrounding delivery of the Anti-Racism Action Plan has been reviewed and amended to promote inclusion and anti-racist ways of working. This has included increasing the representation of racially minoritised people and independent experts involved in overseeing the work and providing views on progress.

Arrangements have been put in place at an All-Wales level and at individual organisational levels to ensure there are mechanisms to enable the Plan's delivery and its ongoing monitoring. Resources have been allocated to the Plan's delivery by all criminal justice agencies as well as by the additional partners making up the Criminal Justice Board for Wales.

In May 2023, the Criminal Justice Board for Wales in conjunction with Welsh Government hosted a 'One Public Service Anti-Racism Summit' in Cardiff. With the ongoing commitment to effective co-ordination on anti-racism, this brought together more than 200 public service leaders across Wales to discuss the urgency of the need for collective and joined-up action on anti-racism in public services and criminal justice.

A new Data & Disproportionality workstream has been established to work on collating data across criminal justice, which will enable consistent and robust monitoring of racial disparity and the action being taken to reduce it. As part of this work, criminal justice partners are looking at ways to enhance publicly available data to increase transparency in future years.

In 2022, the Independent Oversight & Advisory Panel was appointed to hold the criminal justice system in Wales to account for delivery of the

Anti-Racism Action Plan. A total of 90% of the panel members are from an ethnic minority background and members are from all four police force geographical areas of Wales. The panel meets every two months with the purpose of overseeing the work of all criminal justice agencies to meet their commitments in the Plan.

Throughout 2023-24, the Criminal Justice Board for Wales has ensured that the Panel Chair, Vice-Chair and other panel members where possible, have been invited to key events and meetings to feed in their independent views. For example, in September 2022 the Panel Chair was invited to address the senior leaders of criminal justice in Wales at an in-person planning and development day. The Chair was asked to outline some key challenges that the Criminal Justice Board for Wales needed to consider so that they could effectively reflect on them during the day and develop actions for solution.

In addition, Independent Panel members were invited to attend and feed into the 'One Public Service Anti-Racism summit' in May 2023, and the National Black Police Association conference held in October 2023. Further information on some of the work the panel has undertaken is contained in an earlier section of the report.

### Key Issues Raised by Community Members and Independent Voices in 2023-24

During the year various panels and community groups have been made increasingly aware of the anti-racism work taking place in criminal justice. This has included some insight into the already-existing levels of scrutiny applied to processes and procedures in criminal justice, including the existence of independent scrutiny panels and advisory groups. When community members and external partners have been made aware of these measures, they have often felt encouraged and reassured at the levels of oversight in place. However, it is clear that the public are generally unaware of the existence of such measures and have expressed that they would benefit from understanding more about them, how any findings are acted on, and how they may be able to get involved.

In the years ahead criminal justice agencies will need to do more to communicate effectively with the public about their efforts to eliminate racial disparities and injustice to work to improve confidence in the system.

There also continues to be a public interest in racial disparity data in criminal

justice, with an ongoing need for this to be more readily available and transparent. Work will continue so that data can be effectively gathered and shared across criminal justice, with an ambition to create a publicly available data dashboard.

### Criminal justice action example

**All police forces in Wales operate an Independent Advisory Group (IAG). This invites community members to comment and advise on police force policy and activity. IAGs are an important mechanism for encouraging and promoting transparency and accountability in police practice. In 2023, Dyfed Powys Police reviewed its operating model for its IAG in order to maximise opportunities for ethnic minority inclusion. As a result the operating model was changed to enable people to join if they did not live in the Dyfed Powys area. It is hoped that this policy decision will increase the representation of ethnic minority people that can oversee police activity in the region.**



We will:



5

## Educating the Workforce

We will invest in high quality educational anti-racism resources for use by anyone working in the Criminal Justice System.

We will work alongside ethnic minority people and groups to make sure all provision reflects their needs and lived experiences.

## Progress to date

A 'Training & Cultural Competency' workstream has been established within the governance of the Plan so that the activity required under this commitment can be effectively co-ordinated. During 2023-24 a comprehensive amount of work has taken place to scope the existence of current Anti-Racism and Cultural Competency training and resources being used across criminal justice. This has been to understand the levels of current provision and the gaps to address.

Feeding into this work has been the commissioning of a Cultural Competency training programme pilot. This was delivered with a cohort of 250 staff in criminal justice agencies in Wales in the summer of 2023. The training is being independently evaluated to understand what works in awareness-raising of anti-racism so that decisions can be made on the standard of provision that all agencies should provide, and how frequently. The work will continue in the year ahead in order that these standards can be agreed across criminal justice as a whole.

Senior leaders in the Criminal Justice Board for Wales have received anti-racism development sessions during the year. These have included inputs on the learning journey of working to become actively anti-racist. The leaders have committed to personal and professional development in this area. In addition, the Communications Leads across criminal justice in Wales have engaged with a specialist external anti-racism training programme to ensure they are better placed to promote anti-racist messaging in public and internal communication. A range of criminal justice teams have also received Organisational Design & Development behaviour change sessions to enable action-based outcomes in their areas of work within the Plan. This has included Offices of Police & Crime Commissioners, external community partners and senior leader groups.

Individual criminal justice agencies have also undertaken their own action to invest in anti-racism learning amongst their staff during the year. Some of this has been via formal training provision, and some has seen the initiation of more informal conversations about anti-racism throughout the workforce.

## Key Issues Raised by Community Members and Independent Voices in 2023-24

Race equality training and awareness are possibly the most-often raised issues during engagement with ethnic minority people in relation to their experience of the criminal justice system. There is a clear view that much of the Plan's success depends on the investment in internal training on anti-racism, cultural competency, unconscious bias, and racial profiling across criminal justice. Without this training, much of the Plan is seen as arguably impossible to deliver as it relies on systemic change across the whole system. The criminal justice agencies in Wales remain committed to progressing these important commitments in the Plan and to working to make the public aware of what is taking place in the year ahead.

## Criminal justice action example

**His Majesty's Courts & Tribunal Service (HMCTS) invested in a range of seminars and awareness-raising during Black History Month 2023. This included celebrating colleagues, reflecting on internal racism and how to challenge it, learning about the specific needs of Black care-experienced young people, and discussing why Black History Month matters.**

**South Wales Police has continued to roll out its 'Let's Talk About Race' programme across the workforce throughout the year. The programme has reached at least 3000 officers and staff, who have received inputs from an external provider on racism, white privilege, unconscious bias and institutional racism. The sessions have provoked conversations to increase understanding and individual responsibilities around anti-racism. The Chief Constable has made the programme a mandatory requirement for the whole workforce, and it will continue in the years ahead. South Wales Police has also begun to bring in the lived experience of ethnic minority community members into other police training, for example stop search training for officers.**

We will:



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## Promoting Fairness

**We will promote fairness in a Criminal Justice System that is anti-racist and challenges racism and its causes, so that people of all ethnic identities and backgrounds experience fair outcomes.**

### Progress to date

In 2023 a literature review was commissioned and completed in relation to the use of Out of Court Disposals and behaviour change work with perpetrators of hate crime. This has analysed the existing understanding of Out of Court disposal success in such circumstances and has looked at behaviour change programmes beyond Wales to consider future options.

During the year the Criminal Justice Board for Wales has also worked with Public Health Wales to consider how the Public Health Wales Trauma-Informed Wales Framework can align with understanding of the impact of racial trauma in criminal justice. This work is continuing into the year ahead.

A vast amount of work has been taking place across policing in Wales to understand racial disproportionality rates on stop search, use of force, and a range of other policing processes. In addition, work has been taking place to improve governance, training, and public scrutiny on these processes. Policing in Wales is working to develop more consistent and joined up approaches to tackling racial disproportionality. With this in mind, a Policing in Wales Anti-Racism Taskforce was established in 2023, chaired by a Chief Constable. This draws together professionals across policing in Wales, ensuring that anti-racism objectives can be delivered effectively and in timely ways.

All Police & Crime Commissioners and their offices are heavily engaged in the delivery and oversight of the Plan. Throughout the year they have worked to develop their own understanding and application of anti-racist ways of working and have worked to hold their forces to account for delivery of actions in the Plan and for racial disparities evident in force data. They have played particularly important roles in developing and conducting scrutiny and public accountability processes in aspects of police powers.

A 'Data & Disproportionality' workstream was established in 2023. This workstream contains criminal justice data analysts working to collate ethnicity data that will enable ongoing disparities to be understood and addressed. In the first year of the Plan a list of 'moments of truth' have been developed, which have been agreed as the points in the criminal justice system requiring immediate and ongoing ethnicity data collection and monitoring. All partner agencies are working on this data collection with a view to a data dashboard being publicly available in future.

There have been ongoing challenges with this work, as the criminal justice agencies across Wales use varying data collection and storage mechanisms and technology. It has also been challenging to collect Wales-specific data across some agencies that operate at a UK-level. However, there is a commitment to overcoming the challenges being faced and this work will continue in the year ahead.

As referenced in earlier sections of the report, an All-Wales group was brought together in 2023 to discuss the specific needs of Gypsy Roma Traveller communities in relation to criminal justice. This included third sector and lived experience representation, as well as police forces, Welsh Government and the Welsh Local Government Association.

The aim is to collaboratively and consistently look to develop fair and inclusive ways of working and engaging with Gypsy Roma Traveller communities in Wales.

Work has also been taking place on a practical level to consider service provision issues in terms of promoting fairness and inclusion for ethnic minority people. For example, prisons across Wales have been checked for prayer mats and religious needs provision to ensure adequate availability. This followed feedback in the Plan development phase that provision was insufficient.

Towards the end of 2023, a research symposium was held by Public Health Wales and Criminal Justice in Wales. This enabled a range of individuals and organisations to highlight research they had conducted in relation to race and/or criminal justice issues. Across criminal justice there had been a recognition that policy and practice had not always been shaped from evidence that had considered the views and experiences of racially minoritised people and communities. The aim of the day was to consider the possible development of a Wales research network for ongoing sharing of this lived experience and information with criminal justice. The symposium was successful, and the overwhelming view of the attendees was that a research network should be established to feed into the delivery of the Criminal Justice

Anti-Racism Action Plan and wider public policy in future. Work will begin on this in the year ahead. The network will aim to improve understanding of the issues affecting ethnic minority people in criminal justice so that this can influence policy change in Wales. It is hoped that the network will also develop commissioning opportunities for future work.

### Key Issues Raised by Community Members and Independent Voices in 2023-24

Racial disparity in the use of stop and search remains an issue of primary concern amongst ethnic minority communities in Wales. This has been fed through to various criminal justice channels throughout the year. It continues to drive much of the public trust and confidence gap in police forces in relation to ethnic minority communities.

Considerable work is taking place in police forces to ensure stop and search is legitimately used and overseen, and there is evidence of reduced ethnic disproportionality. However, communities report the need for greater understanding within policing of the ongoing impact of racial trauma when ethnic minority people are disproportionately stopped

and searched. Feedback demonstrates that the quality of the stop search interaction on the part of the officers generally needs to be improved, and that an increased awareness is needed of the impact of cumulative stop searches on the wellbeing of individuals and their trust in the criminal justice system. Work is also required to better explain stop and search processes and individual rights to the public. This work will be developed further in the year ahead and has the support of all forces in Wales.

## Criminal justice action example

**On a yearly basis, North Wales Police produces an external report that presents key data where racial disproportionality is featured within policing. The data includes hate crime, stop and search, use of force, custody, complaints and Out of Court Disposals.**

**Individual boards have been established within North Wales Police to review the data patterns and match them against local census data. Explanations for disproportionality are sought and discussed, with a view to working to reduce any disparities.**

**The Youth Justice Board produces ethnicity data on an annual basis. This highlights areas of racial disproportionality and enables a focus on issues to tackle. The data is currently produced on an England and Wales basis, but work is ongoing to produce data that is specific to Youth Justice in Wales. The latest YJB ethnicity data report can be found [here](#).**

We will:



## Prevention, Early Intervention and Rehabilitation

**We will work together to end the over representation of ethnic minority people who have committed a crime and defendants in the Criminal Justice System in Wales.**

**We will provide holistic, person centred and trauma-informed support to offenders and those at risk of offending so they can make informed life choices for employment, education, social relationships, and mental and physical health and well-being.**

## Progress Against Actions

In 2023, a literature review was commissioned and completed in relation to the use of Out of Court Disposals and criminal justice diversion schemes amongst ethnic minority people. The review has looked at the reasons for the under representation of ethnic minority people in such measures, and the subsequent greater likelihood of harsher sentencing for ethnic minority people. The literature review has also considered possible ways to adapt current processes to increase the representation and therefore divert more ethnic minority people from a criminal justice route.

In the year ahead this research will be developed further to better understand the views of ethnic minority people that have been in custody, along with those involved in communicating and making decisions along the way. The Criminal Justice Board for Wales will then review all findings and recommendations.

Work is underway to enhance existing Delivery Plans associated with work on 'Violence Against Women & Girls and Sexual Violence' in Wales, to ensure that ethnic minority victim and survivor needs are understood. Plans are also in place to improve the representation of ethnic minority victim and survivor voices in supporting policy



delivery and practice.

The Women's Justice Blueprint work in Wales aims to develop and deliver better and fairer support for women in the criminal justice system. This work has incorporated the need to consider service design appropriate to the needs of ethnic minority women. This has been included in the commission specification for future services, along with the need to commit to anti-racist ways of working. The contracts associated with services in the Women's Justice Blueprint will be monitored for their commitment to these principles.

The Women's Justice Blueprint is also working to enhance the representation of ethnic minority people who have offended in consultation and involvement processes to ensure their specific voices and needs are heard. In 2023, this included the addition of external individual and partners from ethnic minority backgrounds in the Programme Board which oversees overall delivery of the programme.

## Key Issues Raised by Community Members and Independent Voices in 2023-24

Feedback was received late in 2022 at a national Women's Justice Blueprint conference, and in other forums in 2023, that ethnic minority representation in women's justice work was lacking in visual communication and information. Feedback was provided that lack of diverse imagery in publications for certain criminal justice services could provide unhelpful messages about the nature of the services and the service provider's understanding of race.

This feedback was addressed positively and proactively throughout 2023 by the Women's Justice Blueprint programme and the work across Wales on Violence Against Women and Girls. Both programmes have

prioritised the need to build anti-racism into their ways of working and this has been well received. These have been excellent examples of the positive influences that ethnic minority people with a lived experience of criminal justice have been able to bring to policy and process changes within the system now that they have been invited to do so. Their input, advice and guidance has been greatly appreciated.

### Criminal justice action example

**His Majesty's Prison & Probation Service (HMPPS) in Wales has utilised funding for both prison and probation services to better engage voluntary organisations in the delivery of services. Race equality third sector agencies, including those working specifically with ethnic minority people in criminal justice, have been commissioned to deliver a support programme for ethnic minority young offenders and adults on probation and leaving prison. Over the next 3 years the funding will enable more than 150 ethnic minority people to be appropriately supported.**





# The year ahead

## Key issues of focus for criminal justice in the year ahead (2024-25) include:

- Developing an anti-racism training framework, setting out the minimum standards expected of all criminal justice organisations in the anti-racism education of their staff.
- Auditing recruitment and selection processes through an anti-racism lens, preparing to make changes that may be identified.
- Developing engagement throughout Wales to ensure that ethnic minority people can feed into the Plan's development and have a say in how things are progressing on the ground.
- Increased Communications activity across Wales as work progresses to inform people of the intentions of the Plan and the view for an anti-racist criminal justice system in Wales.
- Police forces working to improve the racial disproportionality that exists in stop and search and use of force. They will do more to consistently ensure that the public is involved in reviewing stop search incidents and are aware of stop search data for their area.

- A greater focus on how the four Local Criminal Justice Boards in Wales can take their own responsibility to progress anti-racism action in their localities and develop their understanding of anti-racism.

## In the year ahead, the Independent Oversight & Advisory Panel has committed to focussing attention on overseeing the following:

- Anti-racism training and awareness raising across criminal justice
- Race complaints handling across criminal justice
- Recruitment, retention, progression and workplace culture across criminal justice
- Collaboratively focusing their oversight and advisory activity with Criminal Justice in Wales Board partners on how they are working to be anti-racist in their processes.

# Conclusion

The first year of the Plan's implementation has prioritised the establishment of arrangements across criminal justice so that the Plan can be delivered effectively. There has also been a focus on internally raising awareness and understanding of the realities of racial disparity within criminal justice so that senior leaders and their staff understand the part they need to play in making the required changes. This has all taken time, and continues to do so, but progress has been made against all commitments in the Plan.

The scale of change required across criminal justice and all of its services cannot be under-estimated. This is not a surprise to any racially minoritised people in Wales who have experienced unconscious bias, microaggressions, and racism on a daily basis for far too long. The criminal justice partners in Wales remain dedicated to working together to eradicate racism across their services and to ensuring that ethnic

minority people in Wales see the change they deserve to see.

Sincere gratitude and appreciation is expressed to all of the ethnic minority individuals and staff, as well as organisations, who have assisted with the implementation, oversight and challenge of the Plan in its first year. It is intended that this co-delivery approach will continue. The Criminal Justice Board for Wales will continue to include Anti-Racism as one of its core priorities and acknowledges that every criminal justice partner has a role to play in making anti-racism a reality in the years ahead.





Cyfiawnder Troseddol  
yng Nghymru  
**Criminal Justice  
in Wales**

Developed by Criminal Justice Board for Wales.

Our vision and purpose is to make the Criminal Justice System in Wales the fairest, the most efficient and the most effective it can be - with anti-racism as a core value and approach