



Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

2015 anaw 3

National Adviser

20 National Adviser

- (1) The Welsh Ministers must appoint a person as the National Adviser.
- (2) The person appointed as National Adviser holds office in accordance with the terms of the appointment.
- (3) The Welsh Ministers may pay expenses, remuneration and allowances in respect of the Ministerial Adviser.
- (4) The Welsh Ministers may pay—
 - (a) pensions in respect of persons who have been the Ministerial Adviser, and
 - (b) amounts for or towards provision of pensions in respect of persons who have been the Ministerial Adviser.
- (5) The Welsh Ministers may provide the Ministerial Adviser with—
 - (a) such staff, and
 - (b) such accommodation, equipment and other facilities,as the Welsh Ministers consider necessary for the exercise of the National Adviser's functions.

21 Functions of the Adviser

- (1) The National Adviser is to exercise the following functions, subject to the direction of the Welsh Ministers—
 - (a) to advise the Welsh Ministers about pursuing the purpose of this Act or tackling related matters (see subsection (2));
 - (b) to give other assistance to the Welsh Ministers in their pursuit of the purpose of this Act or tackling related matters;

- (c) to undertake research relating to pursuing the purpose of this Act, tackling related matters or examining whether abuse of any kind is related directly or indirectly to inequality of any kind between people of a different gender, gender identity or sexual orientation;
 - (d) to advise and give other assistance, with the agreement of the Welsh Ministers, to any person on matters relating to pursuing the purpose of this Act or tackling related matters;
 - (e) produce reports on any matter relating to the purpose of this Act or tackling related matters.
- (2) A “related matter” for the purpose of subsection (1) is abuse which the National Adviser considers to be related directly or indirectly to inequality of any kind between people of a different gender, gender identity or sexual orientation.
- (3) If the National Adviser requests that a relevant authority provides information for the purpose of the exercise of any of the Adviser’s functions, the authority must comply with the request unless the authority considers that doing so would—
- (a) be incompatible with the authority’s own duties, or
 - (b) otherwise have an adverse effect on the exercise of the authority’s functions.
- (4) A relevant authority which decides not to comply with a request under subsection (3) must notify the National Adviser in writing of the reasons for the decision.

22 Annual plan and annual reports

- (1) Before 30 November in each financial year the Ministerial Adviser must—
- (a) prepare an annual plan setting out how the Ministerial Adviser proposes to exercise the Ministerial Adviser’s functions during the following financial year, and
 - (b) submit the annual plan to the Welsh Ministers for approval.
- (2) An annual plan must—
- (a) state the Ministerial Adviser’s objectives and priorities for the financial year covered by the report;
 - (b) state any matters on which the Ministerial Adviser proposes to report under section 21(1)(e) during that year;
 - (c) state any other activities the National Adviser proposes to undertake during that year in the exercise of the National Adviser’s functions.
- (3) The National Adviser may consult any person in preparing an annual plan.
- (4) The Welsh Ministers may approve an annual plan without modifications or with modifications agreed with the National Adviser.
- (5) Before 30 September in each financial year the National Adviser must send a report to the Welsh Ministers about the exercise of his or her functions during the previous financial year.
- (6) An annual report must include—
- (a) an assessment of the extent to which the National Adviser’s objectives and priorities for the financial year covered by the report have been met;
 - (b) a statement of the matters on which the National Adviser has reported under section 21(1)(e) during that year;

- (c) a statement of the other activities the National Adviser has undertaken during that year in the exercise of the National Adviser's functions.

23 Publication of reports

- (1) The Welsh Ministers must publish—
 - (a) each annual plan and each annual report sent to them by the National Adviser, and
 - (b) each report sent to them by the National Adviser, if the report is mentioned in an approved annual plan.
- (2) The Welsh Ministers may publish a report sent to them by the National Adviser that is not mentioned in an approved annual plan.
- (3) Before publication of a plan or report, the Welsh Ministers may remove from it any material whose publication the Welsh Ministers think—
 - (a) is undesirable for reasons of national security,
 - (b) might jeopardise an individual's safety, or
 - (c) might prejudice the investigation or prosecution of an offence.