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A Summary of Consultation Responses

A Separate Legal Jurisdiction for Wales

Date of issue: 17 August 2012



A Summary of Consultation Responses: A Separate Legal Jurisdiction for Wales

Overview

The purpose of this consultation was to seek views on:

- what is meant by the term “separate legal jurisdiction”;
- whether there are any essential features for the existence of a separate legal Jurisdiction and, if so, what they might be;
- what the consequences of having a separate Welsh legal jurisdiction might be; and
- what the potential advantages and disadvantages of a separate Welsh legal jurisdiction would be.

A public consultation exercise was conducted between 27 March and 19 June 2012.

Action required

None – for information.

Further information

For further information please contact:
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Additional copies

This document can be accessed from the Welsh Government’s website at www.wales.gov.uk

Summary of consultation responses to the Welsh Government's consultation on a Separate Legal Jurisdiction for Wales

Introduction

On the 27th of March 2012 the Counsel General launched the Welsh Government's consultation a Separate Legal Jurisdiction for Wales.

The consultation paper posed twenty nine individual questions that were tasked with answering the broader questions of:

- what is meant by the term "separate legal jurisdiction";
- whether there are any essential features for the existence of a separate legal jurisdiction and, if so, what they might be;
- what the consequences of having a separate Welsh legal jurisdiction might be; and
- what the potential advantages and disadvantages of a separate Welsh legal jurisdiction would be

The consultation ended on the 19th of June 2012. Overall the Welsh Government received sixty eight responses. Twenty three of these respondents were members of the public with the remaining responses coming from academics, specialists in the field and organisations.

Next Steps

In his oral statement to the Assembly the Counsel General stated that the submissions to this consultation would help inform the Welsh Government's evidence to the Silk Commission (the Commission on Devolution in Wales), on Part II of its terms of reference relating to the devolution settlement for Wales. The Welsh Government is currently considering all the responses before coming to a view on the issue of a Separate Legal Jurisdiction for Wales. The Welsh Government's conclusions on this issue, therefore will form part of its evidence to the Silk Commission, following the Commission's call for evidence in relation to Part II of its remit.

The Welsh Government would like to thank all respondents for taking the time to considering the questions put forward in the consultation exercise and for providing comprehensive evidence.

List of Respondents

The following individuals, groups and organisations' responded to the consultation. Where permission has been granted you can see the full submission attached.

| Reference | Respondent |
|-----------|--|
| 01 | Mr Timothy Williams |
| 02 | Eirian J Williams |
| 03 | Martyn Vaughan |
| 04 | D I Roberts |
| 05 | J Reed |
| 06 | <i>Confidential Submission</i> |
| 07 | Councillor Arfon Jones |
| 08 | Nigel Osbourne |
| 09 | National Bench Chairmen's Forum |
| 10 | Carmarthenshire County Council |
| 11 | West Wales Law Society |
| 12 | Dominic De Saulles – Solicitor-Advocate |
| 13 | HH Judge Bidder QC |
| 14 | Norman and Ruth Richards |
| 15 | Arwel Hughes |
| 16 | Jon Gray |
| 17 | <i>Confidential Submission</i> |
| 18 | Mrs Chris Thomas |
| 19 | Judge Alison McKenna, Mr Justice Warren, Lord Justice Lloyd |
| 20 | The Magistrates Association |
| 21 | ICAEW |
| 22 | Alex Clapson |
| 23 | JCS |
| 24 | Anonymous |
| 25 | J L Gardiner |
| 26 | Mark Whitcutt |
| 27 | Peter Bray |
| 28 | Citizens Advice Bureau |
| 29 | Land Registry |
| 30 | Dr Kirsty Hood |
| 31 | Meri Huws – Welsh Language Commissioner |
| 32 | Justices' Clerks' Society (JCS) |
| 33 | The Law Society |
| 34 | Wales Council for Voluntary Action |
| 35 | Society of Trust and Estate Practitioner |
| 36 | Parliament for Wales Campaign |
| 37 | Public Law Wales |
| 38 | Andrew Currie |
| 39 | Andrew Davies, Alex Greenwood, Jeremy Jenkins, Christopher Rees, Jonathan Elystan Rees, Lee Reynolds |
| 40 | Federation of Small Businesses |

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| 41 | Welsh Committee of the Judges' Council |
| 42 | Mr Justice Roderick Evans |
| 43 | Bangor University School of Law Public Law Research Group |
| 44 | Charity Law Association |
| 45 | Conwy Legal Services |
| 46 | Skills for Justice |
| 47 | Robert Jones |
| 48 | 30 Park Place Chambers |
| 49 | <i>Confidential Submission</i> |
| 50 | Trading Standards Institute |
| 51 | Association of Judges of Wales |
| 52 | Welsh Tribunals Contact Group |
| 53 | Professor R. Gwynedd Parry |
| 54 | Emyr Lewis |
| 55 | The Association of Her Majesty's District Judges |
| 56 | RSPCA |
| 57 | The Rt Hon Elfyn Llwyd MP |
| 58 | Swansea School of Law |
| 59 | The Bar Council |
| 60 | HH Judge Seys – Llewellyn |
| 61 | The Chartered Institute of Legal Executives |
| 62 | Plaid Cymru Assembly Group |
| 63 | Julie Morgan AM |
| 64 | T H Jones |
| 65 | Professor Thomas Glyn Watkin |
| 66 | <i>Confidential Submission</i> |
| 67 | Association of London Welsh Lawyers |
| 68 | The Standing Committee of Legal Wales |