

Commission on Justice in Wales

Call for Evidence

The Commission on Justice in Wales (the Commission) has been established by the First Minister of Wales to review the operation of the justice system in Wales and set a long term vision for its future, with a view to:

- Promoting better outcomes in terms of access to justice, reducing crime and promoting rehabilitation.
- Ensuring the jurisdictional arrangements and legal education address and reflect the role of justice in the governance and prosperity of Wales as well as distinct issues that arise in Wales.
- Promoting the strength and sustainability of the Welsh legal services sector and maximising its contribution to the prosperity of Wales.

The Commission has decided to approach its work by first obtaining and considering the evidence in five work streams:

- Criminal justice, including policing, probation and prisons
- Civil justice, family justice, administrative justice and tribunals
- The legal profession, legal tech and the economy of Wales
- Legal and vocational education and training
- Access to justice and other overarching issues

In the light of the evidence obtained on these work streams and the Commission's preliminary views on any recommendations for change, the Commission will then consider the options for the delivery of justice in Wales with reference to governance and jurisdictional arrangements.

The Commission seeks to ground its recommendations on the following principles:

- i. The centrality of justice to good governance, prosperity and fairness in society in Wales.
- ii. The underpinning of the rule of law and the independence of the judiciary.
- iii. The establishment of a robust and sustainable justice system in Wales, one which is characterised by clarity, coherence and, where appropriate, local accountability.
- iv. The delivery of speedy and effective justice in Wales in all types of cases and at proportionate cost.
- v. The proper provision of access to justice across Wales, including proper access to legal advice and to lawyers, taking into account the geography and demography of Wales, the availability of public transport and other services, the adequacy of the digital infrastructure and the significant areas of economic deprivation, both rural and post-industrial.
- vi. The proper co-ordination and integration of services and support in Wales across all areas of justice, particularly in relation to resolving problems relating to debt, housing and employment, and in preventing offending and rehabilitating offenders.
- vii. The provision of a strong and sustainable legal services sector based in Wales which utilises the most up-to-date technology and which is highly competitive both in expertise and cost.
- viii. The provision of socially inclusive legal and vocational education and training in Wales which meets the needs of Wales, is cost effective and is at the forefront of equipping lawyers for modern day practice in a global market.
- ix. The treatment of the English and Welsh languages on a basis of equality.

The Commission will be accepting written submissions until 4 June 2018 from all interested parties. It would be helpful if submissions could:

- include supporting factual evidence, with examples of experiences of the justice system in Wales and suggestions of how the justice system in its widest sense (including policing and probation) could better serve the people of Wales; and
- consider the practical, administrative, resource and legal mechanisms and measures that may need to be implemented to achieve those goals.

You may find some or all of the following questions helpful when preparing your submissions, though there are many other matters which it would be helpful for your responses to cover:

1. What is working well in the justice system in Wales? What is not working well? Are there examples of innovation and good practice, both in and beyond Wales, which should be adopted and shared?
2. What are the economic, social, geographical, technological, constitutional and other barriers to improvement and how could these be overcome?
3. What problems face the people who work within the justice system in Wales (including policing, prosecution, courts, prisons and probation) and the people who are affected by it?
4. Does the justice system in Wales currently provide access to all who require its services, including advice? How would you improve access to justice in Wales?
5. What impact has devolution had on the justice system in Wales? What impact do you believe devolution will have in the future?

6. Could local authority services in relation to justice and the local provision of legal advice be better organised and co-ordinated with policing, prosecution, courts, prisons and probation?
7. Are there changes that should be made to the capabilities and effectiveness of the ways in which the police, probation and prisons approach their tasks? What should be done to increase community safety, wellbeing and social cohesion and reduce crime? What can be learnt from other countries where rates of crime and imprisonment are lower?
8. What impact is the divergence between Welsh and English law having upon sentencing? What impact do you foresee in the future? Should Wales implement a different approach to sentencing than England? If yes, what lessons can be learnt from other jurisdictions?
9. What are the capabilities in the justice system in Wales for responding to Brexit?
10. What steps do you think need to be taken to facilitate positive change in the justice system in Wales?
11. How could the strength and sustainability of the legal sector in Wales be promoted? How could its contribution to the prosperity of Wales be optimised?
12. To what extent do current university curriculum and vocational and professional development courses reflect the law in Wales and the need to deal with the digital revolution and how should they be further developed?
13. What is the current provision for the Welsh language within the justice system and legal education in Wales? How should Welsh language provision within the justice system and legal education in Wales be improved?
14. Is access to Welsh law properly available?

How to provide evidence

Evidence can be sent to the Commission in either Welsh or English electronically via JusticeCommission@gov.wales, or in hard copy to the Commission's postal address:

Commission on Justice in Wales

Crown Buildings

Cathays Park

Cardiff

CF10 3NQ

Please submit your evidence to the Commission by no later than 4 June 2018.

The Commission's secretariat team would be happy to answer any questions you may have on this call for evidence by e-mail at JusticeCommission@gov.wales.

Information to include

Please let the Commission know if you are writing in a personal capacity or on behalf of an organisation. If you are writing on behalf of an organisation, it would be helpful if you could confirm its purpose, size and membership.

How to format your evidence

Please include references to the sources of the information that you provide in your submissions.

Please number the paragraphs of your evidence to assist the Commission in referring to your evidence. If submitting evidence electronically, please send it in Word or PDF format. Any use of colour in your evidence should be capable of being reproduced in black and white as the Commission may use photocopied versions.

How the Commission will use your evidence

The evidence will be considered in the drafting of the Commission's report and some evidence may be referred to specifically. The Commission intends to publish all evidence it receives on its web site, but it will carefully consider any requests for evidence not to be published or attributed to a specific author (though, with permission, the Commission may wish to refer to it as anecdotal evidence).

If you do not want your response or name published you should clearly specify this in your evidence and your reasons for this.

27 February 2018