

Dear messrs

My name is Osian Roberts and I am a solicitor and partner with Guthrie Jones and Jones Denbigh which also has offices in Dolgellau and Bala. The practice deals with a variety of work including civil work, property, family and employment law, wills and probate.

I am writing to you in response to your call for evidence.

I am responding specifically to paragraph 4 and paragraph 13.

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?

Unfortunately, some parts of North Wales are remote, taking an hour or more to travel to the courts. The public transport system is insufficient and it is almost impossible for those without a car or a computer to access the courts. Corwen criminal courts were closed some years ago and Dolgellau court closed recently. There is no county or criminal court between Caernarfon and Aberystwyth, which are 77 miles apart.

Public buildings and Council offices should be used and one day courts should be set up in towns where there is no permanent court. We have the technology to conduct hearings via video link and Skype but this technology is not used.

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?

Unfortunately, the use of the Welsh language in the legal system continues to be minimal. There is no shortage of Welsh speakers in the legal system, whether they be judges, solicitors or barristers. However, I believe firmly there is obvious unwillingness to use the Welsh language and to be seen as a language through which the law can be administered.

It is encouraging that many judges in Wales now can speak Welsh. The majority of judges in North Wales are able and willing to use the Welsh language, and encourage its use in the courts.

However, this is not enough. Solicitors must lead the way by producing documents in Welsh, corresponding with each other in Welsh and providing advocacy and representation in Welsh in court.

Welsh language Advocacy courses should be offered to solicitors and barristers. Successful courses were held in Caernarfon some years ago, with many attendees. The use of Welsh in the courts desperately needs to be normalised rather than being considered an exception, and it also needs to be normalised in written work and correspondence.

Previously, I often used to begin court proceedings in Welsh, when regional county courts processed these requests. Since the creation of the CCMCC and the CCBCC, it has become more difficult to commence civil court proceedings in Welsh. Simple claims are delayed for many weeks because pleas are made in Welsh and this means that proceedings commenced in English are dealt with much sooner.

Before the establishment of the CCMCC and the CCBCC, regional courts would deal with Welsh language proceedings effectively. This may be grounds for establishing a dedicated department to deal with Welsh language proceedings in the CCMCC or the CCBCC or to transfer this function to an office in Wales.

The Money Claims Online website is not available in Welsh. The website should be bilingual. This would facilitate the process to commence court proceedings in Welsh and would be fairer – since online proceedings are cheaper to commence.

Unfortunately, there are not enough Welsh-speaking court staff in Wrexham or Prestatyn. We must remember that, since the closure of some Magistrate and county courts, these two courts serve areas with a large number of Welsh speakers.

In terms of education in Wales, there is concern that the SRA will not offer the Solicitors Qualifying Examination in Welsh, and possibly in Wales. This examination should, without doubt, be offered in Welsh.

Universities do good work in terms of offering law courses partly through the medium of Welsh. I would like to see more Welsh medium Law courses and modules being offered in Welsh, up to LLB degree courses. Having Welsh-speaking LLB graduates would lead to an increase in the use of the language in practices.

Sincerely and with thanks

Osian