



COMMISSION ON JUSTICE IN WALES ONLINE INFORMATION GATHERING EXERCISE: SUMMARY BRIEFING

1. INTRODUCTION

- 1.1 The Commission on Justice in Wales developed a short questionnaire to collect views of citizens and legal professionals about their experiences of the justice system in Wales. The key variable of interest was a free text question asking respondents for suggestions on how to improve justice services in Wales. The other questions were contextual to understand the demographic characteristics of respondents, and provide a high level overview of their experiences of the justice system in Wales. This information gathering exercise was designed to provide a quick and accessible way for citizens and legal professionals to feed into the Commission's review of the justice system in Wales, and to supplement the Commission's formal call for evidence and oral evidence sessions.
- 1.2 The questions were uploaded to 'Questback', an online survey programme, and were live between 20th August 2018 and 12th April 2019. The invitation link was accessible via the Commission on Justice in Wales website and was advertised on the Commission on Justice in Wales' communication channels, including Twitter.
- 1.3 Following the data collection period, the free text responses were thematically analysed and the results are presented in the current document. It is important to note that not all responses fell into thematic categories, and some responses contained personal information. Because of this, we have not published the exact responses to the information gathering exercise, only the themes which emerged from it together with a selection of illustrative quotations which have been anonymised to maintain confidentiality of respondents.
- 1.4 The Commission is scheduled to publish a report of its findings and recommendations later this year and will be able to reference the summary analysis of responses alongside the other evidence it has collected through written submissions and oral evidence sessions.

2. RESPONDENT PROFILE

2.1 For the Commission's data collection exercise, the survey software recorded 96 responses. Of these 96, however, not all completed the whole survey, and not all respondents answered all the questions. Because of this, the total for each item will not always be 96.

2.2 Around half of the respondents who had experience of the **civil justice system** in Wales had done so in a professional capacity (Table 1). Free text responses under the 'other' option included volunteers, students, analyst, those with no experience, and journalist.

Table 1: Have you ever had experience of the civil justice system in Wales in any of the following capacities? Please select all that apply:	Percent
Professional	48%
Claimant	27%
Defendant	17%
Witness	10%
Other (please specify)	23%
N	60

2.3 In terms of the **criminal justice system** in Wales, over half of those with experience noted it was in their professional capacity (Table 2). Free text responses under the 'other' option included volunteers, students, parent of victims or defendants, journalist, those with no experience and researchers.

Table 2: Have you ever had experience of the criminal justice system in Wales in any of the following capacities? Please select all that apply:	Percent
Professional	65%
Victim	19%
Defendant	15%
Witness	25%
Other (please specify)	17%
N	52

2.4 The following tables provide information on the gender (Table 3), age (Table 4) and location (Table 5) of respondents. It should be noted that respondents to this information gathering exercise were self-selecting, and the sample is not intended to be statistically representative of any particular group or population. However, these questions provide some high level contextual information about who has responded. For example, Table 5 shows that a disproportionately high number of responses were received from people living in Cardiff and South East Wales (see Annex A for how local authorities have been grouped into regions).



Table 3: What is your gender?	Percent
Male	49%
Female	40%
Other	0%
Prefer not to say	10%
N	77

Table 4: How old are you?	Percent
Under 18	0%
18-24	13%
25-34	7%
35-44	22%
45-54	29%
55-64	13%
65-74	4%
75+	0%
Prefer not to say	10%
N	68

Table 5: Where do you live?	Percent
North Wales	7%
Mid & West Wales	8%
Swansea Bay	10%
Valleys	10%
Cardiff & South East Wales	64%
I live outside of Wales	1%
N	77



3. IMPROVING THE JUSTICE SYSTEM IN WALES

3.1 The information in this section comes from free text responses to the question: **'If you have any suggestions for how we can improve these services in Wales, please let us know below.'** These were then thematically coded with an inductive approach (using the data to guide the findings as opposed to any literature or pre-determined framework).

3.2 There are four main themes which emerged from the data collection exercise responses:

- Issues with the information provided in the justice system;
- Views on funding;
- Perceptions of the justice system being unjust; and
- Views on the sentences provided.

3.3 For each theme, further information and illustrative quotations are provided below. These quotations come directly from responses to the information gathering exercise.

ISSUES WITH THE INFORMATION PROVIDED IN THE JUSTICE SYSTEM

3.4 In general, issues with the information provided related to a lack of information, a desire for more readily available information, and for more user-friendly language and processes.

3.5 Practical information and advice was desired by respondents, as this quotation illustrates:

'Where should forms be submitted and where/when do you pay for forms? What are counters? What is the ushers point? Where should you wait for court appointments? How long do different court appointments tend to last? What should you wear to a court appointment?'

3.6 As well as quicker ways of getting quality information:

'The big issues are a) speed of response and (b) accuracy of information provided'.

3.7 A clear view of wanting understandable and user-friendly processes was seen, which includes user-friendly language:

'Forms should be written in plain English'

3.8 And also the method of provision:

'Filling out an application on a mobile is very difficult. The level of IT expertise in amongst the general population does not extend to wrestling with court forms online'.



VIEWS ON FUNDING

3.9 Views on funding were largely focussed on the desire for legal aid to be open to more people, as well as general anger at the funding allocations and the perceived impact of austerity.

3.10 Respondents expressed that a funded service ought to be available to more people:

'Make it free to access decent quality legal support and assessments from independent expert witnesses... even those of modest means do not qualify [for legal aid].'

3.11 As well as annoyance at funding allocations:

'Four chief constables, 4 police and crime commissioners, 4 heads of IT-HR-training is disgusting by today's standards – waste of public money'

3.12 And an overall desire for more funding in the area:

'We need to reverse the austerity policies [...] and provide adequate resources for police and justice system.'

PERCEPTIONS OF THE JUSTICE SYSTEM BEING UNJUST

3.13 Perceptions of injustice included geographic disparities, gender disparities and economic disparities, specifically noting that resorting to self-representation is inherently unfair when the cost of representation is prohibitive.

3.14 Geographically, loss of courts in localities led to perceptions of inequalities in travel needs, as well as of problems with different sentences in different areas:

'I live in Pontypridd and have seen that there are no more law courts in the area (ours has just been demolished) and the nearest ones are either in Merthyr Tydfil or Cardiff, which are difficult to reach on public transport. They're not located (and joined up with transport infrastructure) very well at all.'

3.15 Gender disparities noted a perceived bias in family law in favour of women:

'The lack of fathers winning custody implies that family law is potentially biased towards mothers.'

3.16 Self-representation (otherwise known as litigant in person, LiP) was seen as unfair as it was professed to be substandard representation:

'How is a litigant in person to know the basics?', 'LiP's lack of knowledge should not be exploited'

3.17 And to disproportionately affect those who are not wealthy:

'People just cannot afford justice'.



VIEWS ON SENTENCING

3.18 In terms of sentencing, there were views that prison ought to be a punishment for crime but also be rehabilitative. Restorative justice was promoted, as was pro-active work, changes to youth offending sentences, and the need for women's prisons in Wales.

3.19 Restorative justice was represented in comments as a positive although there was a perception that such approaches are poorly implemented:

'Restorative approaches, including restorative justice must be more properly embedded and widely used but not as the police currently do'.

3.20 A preference for more pro-active or preventative approaches were also expressed:

'Dealing with people without getting them before the courts, other reference and treating the cause of the crime and not the symptoms.'

3.21 Which tied into comments on youth service changes:

'These are children with behavioural problems who need support to change'.

3.22 Other areas covered which did not fall into thematic categories were:

- The need for better prison release planning so that prisoners can reintegrate better into society following release;
- A desire for co-production with community representatives, academics and practitioners;
- A desire for greater devolution of justice powers to Wales;
- A desire for understanding the emotional as well as practical and financial impacts of being involved in the justice system;
- The need for officials to be trained in soft skills (e.g. for dealing effectively with people in an emotionally intelligent way) as well as professional skills; and
- The need for improved training, experience and pay for staff (such as prison and police).

3.23 It should be noted that this summary briefing provides an initial high level overview of the themes raised in the online information gathering exercise. The raw data includes further information which will be considered as part of the analysis of consultation responses to the formal call for evidence from the Commission on Justice in Wales.



ANNEX A: REGIONS

Region	Local Authorities in Region
North Wales	Isle of Anglesey
	Gwynedd
	Conwy
	Denbighshire
	Flintshire
	Wrexham
Mid & West Wales	Ceredigion
	Powys
	Pembrokeshire
	Carmarthenshire
Swansea Bay	Swansea
	Neath Port Talbot
	Bridgend
Valleys	Rhondda Cynon Taf
	Merthyr Tydfil
	Caerphilly
	Blaenau Gwent
Cardiff & South East Wales	Vale of Glamorgan
	Cardiff
	Newport
	Torfaen
	Monmouthshire