

The Assembly Commission

Meeting Venue:
Presiding Officer's office, 4th floor – Ty Hywel

Meeting date:
6 June 2013

Meeting time:
10:30

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Committee Clerk

Agenda AC(4)2013(8)

1 Introduction

Introduction and apologies

No apologies had been received.

Declarations of interest

There were no declarations of interest.

Minutes of the previous meeting

The minutes were agreed.

2 Legal Services Directorate's Strategy

The Legal Services Directorate contributes to the Assembly's strategy and aims to provide excellent bilingual legal services to the Presiding Officers, the Commission, Committees and all Members, as part of a fully integrated team of expert Commission officials.

Commissioners received a report on the Legal Service's strategy for the remainder of the Fourth Assembly, to inform a discussion aimed at ensuring the best use is made

of the Legal Services currently and in the future. An area that the Director of Legal Services had identified needed strengthening was the provision of legislative drafting of Members' Bills, while another potential area was the capacity to undertake more commercial legal work.

The legal team had, as part of the Directorate strategy, received training in recent months to increase their ability to advise on legislative competence. However, specific expertise was required to undertake drafting of Bills to a standard that would not create unacceptable risk to the Assembly's reputation.

The Commissioners discussed the options for providing legislative drafting to Members, which included outsourcing to expert drafters, training the Legal Services team to provide the resource in-house, and entering into an arrangement with another public drafting Office.

They also discussed aspects of the role of the legal team in assisting Assembly Members in Committees and whether there was a requirement and scope for expanding in-house legal advice to areas such as employment law.

The Commission agreed to outsource the drafting of Members' Bills to expert external drafters in the short term and pursue training for the in-house lawyers through those external drafters.

Furthermore, they asked the Director of Legal Services to:

- explore the possibility of further training through the Government legislative drafting Office and whether a legislative drafting course, leading to a qualification, existed in Wales;
- explore the possibility of the Government legislative drafting Office drafting Members' Bills, but to do so on the basis that this was not the Commission's preferred option and that there were serious reservations about whether any such arrangement could adequately address the key issues of independence, conflict of interest and confidentiality;
- investigate whether there was sufficient demand for commercial legal services, including employment law, within the Commission and from Assembly Members to justify, on a value-for-money basis, an expansion of the Directorate's resource to undertake that work in-house;
- determine whether there was other unmet demand for legal services within the Commission or amongst Assembly Members.

Action: The Commission asked to receive an update on options explored and progress after 6 months in order to make decisions about the longer term.

3 Any other business

The Chief Executive advised the Commission that the Director of ICT was taking steps on two matters of current concern to Members: to implement a simple PIN approach for Blackberry passwords and to extend the default retention period for email synchronisation to one month. These changes were expected to be available that day. The Commission commended the way that ICT had been responding to and resolving issues.

The Chief Executive agreed to bring a discussion paper to the Commission on national events due to take place over the next few years, in order to enable the Commission to influence future plans.

Officials would investigate and report back on the following matters:

- the accessibility of Assembly Members' diaries, and
- safety and practicality issues with the new china mugs in the café.

Secretariat
June 2013