

**MINUTES OF A MEETING
OF THE CROSS-PARTY LEGAL GROUP
OF THE NATIONAL ASSEMBLY FOR WALES
HELD AT TY HYWEL
ON WEDNESDAY 23RD JANUARY 2018 AT 12.45PM**

Present:	
Mark Reckless AM	Chair Conservative
Bethan Sayed AM	Plaid Cymru
Joyce Watson AM	Labour
David Rowlands AM	UKIP
Catriona Brown	Secretary
Conor Holohan	
Elery Cabbage	For Lynne Neagle AM, Labour
Sara Moran	For Lynne Neagle AM, Labour
Luke Fletcher	Plaid Cymru Group Office
Andrew Felton	Secretary Commission for Justice In Wales
Professor Rick Rawlings	Commissioner Commission for Justice In Wales
Rhys Thomas	Commission for Justice In Wales
Martin Wade	Communications Commission for Justice In Wales
Laura Cawson	Work Experience Student Commission for Justice In Wales

1. Apologies were received from Michelle Brown AM (Vice-Chairman).
2. MR introduced the meeting, and invited AF to provide the meeting with an update on the work of the Commission for Justice in Wales (the “Justice Commission”), the likely timing of the Justice Commission’s reporting, and the extent of support provided to the Justice Commission by the UK, as well as the Welsh Government.
3. AF explained that the Justice Commission was set up in 2017, with Lord Thomas of Cwmgiedd as Chair. Work started in December 2017, and in February 2018 the Justice Commission issued a call for evidence. The Justice Commission has received over 100 submissions to date, with further additional submissions still anticipated. This represented an enormous response and substantial engagement with the work of the Justice Commission.

4. AF noted the Justice Commission had studied the legal sectors of Bristol and Leeds, as the leading legal centres outside London, to ascertain what Cardiff, Newport and Swansea might learn in further developing their own legal centres. The Justice Commission considered strong legal centres in Wales to be fundamental to advancing the legal system.
5. AF highlighted the extensive terms of reference of the Justice Commission, which included criminal justice, policing, prisons, sentencing and penal policy more widely; and on the civil side matters such as the family courts, tribunals, and issues of access to justice with legal aid reduced and court closures. AF explained, however, that the Justice Commission's remit was even broader than this, and extended to the legal sector and the economy, education and training, and criminology, policing and social sciences.
6. AF noted the Justice Commission had started taking oral evidence in November 2018, and posted summary notes of the oral evidence on its website (but not full transcripts as that would be too extensive). AF explained the Justice Commission planned on taking oral evidence up to Easter 2019.
7. AF noted, allowing time for translation, the Justice Commission aimed to publish its report in Autumn 2019.
8. AF explained the Ministry of Justice had been very helpful from an early stage, and that Lord Thomas had been engaging with Ministers and senior officials. AF further explained that now they had passed the half way mark, the Justice Commission would now like to step up its engagement with the MoJ, the Home Office, and the Wales Office, with a view to preparing a report that lands well in both Westminster and Cardiff Bay.
9. MR asked if the original MoJ working group on the legal system in Wales remained active, or if it had been subsumed into the work of the Justice Commission, although AF was not certain of the current status.
10. DR asked if they were talking about the transfer of the whole of the criminal justice system in Wales, and AF confirmed that that was what was under consideration.
11. RR noted that until now, no-one had looked at the entire legal system in Wales for 200 years. RR explained that first they had sought to identify how the legal system in Wales currently works, and whether it works well, and whether the legal profession can support business in Wales, as they did not wish to approach matters in the abstract. Secondly, with that understanding the Justice Commission had then considered governance, devolution, and jurisdiction questions.
12. DR noted he had been a Justice of the Peace for around 13 years.
13. RR noted the Justice Commission had received powerful evidence (from many parties such as the police, Chief Constables, probation officers, Police Commissioners etc ...) in the area of policing and criminal justice, that there was an overly complicated division of responsibilities, and that there was a need to think more holistically about, for example, crime, prisons, rehabilitation, relationships with mental health and drugs. RR noted there was a substantial revolving doors problem between these areas. Whilst the Justice

Commission had not yet concluded, there may be benefits in bringing these fragmented areas closer together.

14. RR noted that the Justice Commission is concerned to broaden out its evidence base, and engage with Assembly Members and senior officers within the Assembly. Lord Thomas would like an “Assembly Day” where (a) oral evidence could be taken by the Justice Commission from the Presiding Officer, the Assembly Commissioner, Clerk, Head of Legal Services, (b) oral evidence could be taken by the Justice Commission from a selection of senior Assembly Members on a balanced representational basis who over the years have gained experience of relevant legal issues, and (c) the Justice Commission presenting to Assembly Members generally, and taking questions.
15. RR made a request that the work of the Justice Commission be presented to Assembly Members under the joint auspices of the Legal CPG and the Policing CPG (chaired by John Griffith AM) working together.
16. CB asked if, looking beyond process, it would be possible to provide more information on the substantive issues under consideration to Assembly Members, to help Assembly Members engage with the real issues.
17. JW noted the Justice Commission would run into trouble if the Assembly Members providing oral evidence did not include back-bench Labour Assembly Members, or was all men. AF and RR agreed this point was well made.
18. JW advised the Justice Commission should start with domestic abuse, given the percentages of people in the criminal justice system coming from a background of domestic abuse.
19. BS asked if there was a risk issues raised by Assembly Members could be beyond the remit of the Justice Commission, but RR confirmed that the Justice Commission was independent, and could consider everything. RR noted the Commissioners sitting on the Justice Commission had a wide range of expertise, and particularly in criminal justice, prisons, the impact of drugs, the practicalities of day-to-day policing, etc.
20. MR confirmed he would reflect on what had been said, and how best for the Justice Commission to engage with the Assembly, and the Legal CPG would revert back to him.