



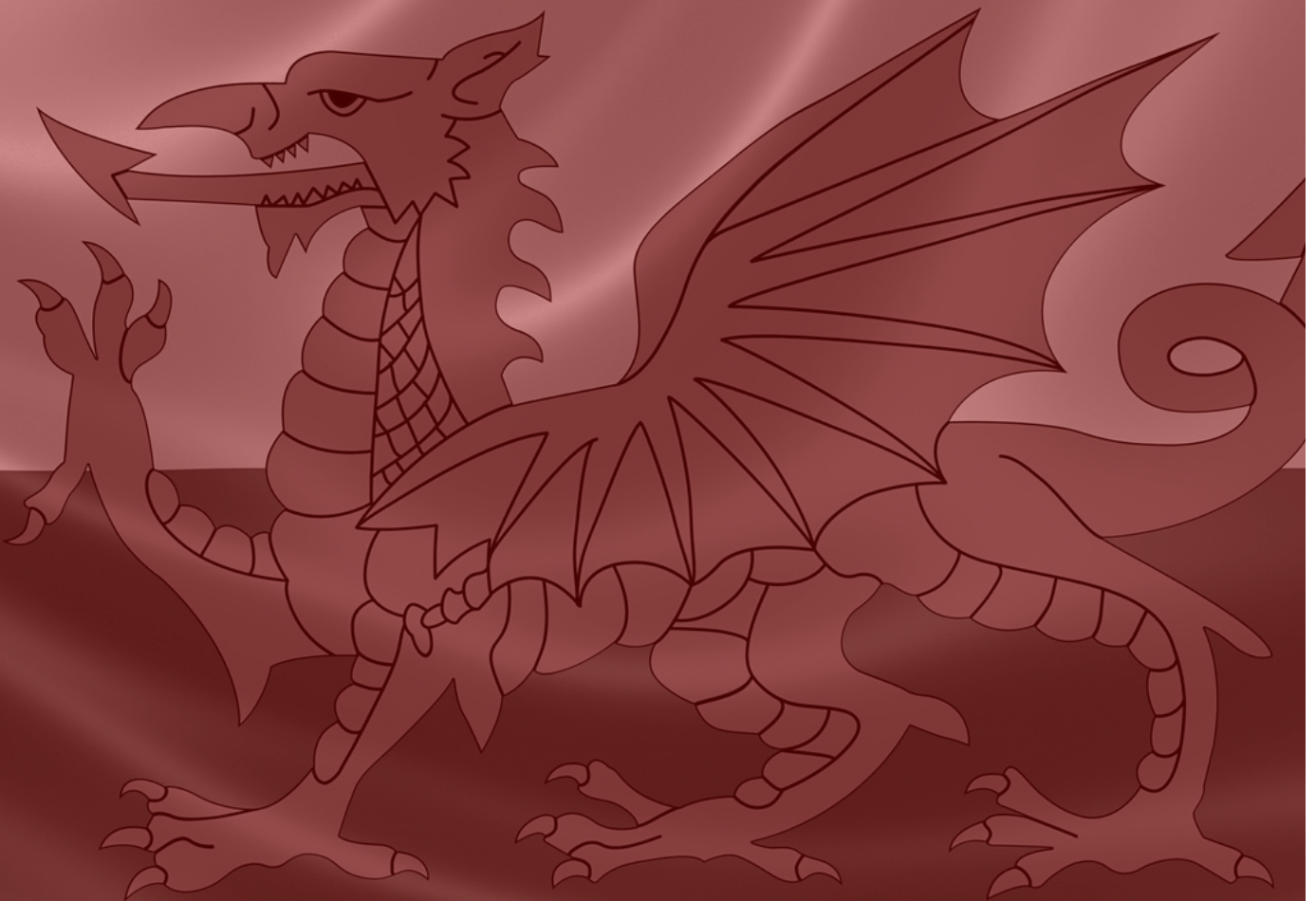
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# Legal Wales Conference 2023

Friday 6th October, Hilton Hotel, Cardiff



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# Welcome to the 20th Legal Wales Conference

## Delegate Pack Contents:

- Programme in Brief
- Breakout Room Allocation
- Sponsors & Exhibitors
- Full Programme - English
- Full Programme - Cymraeg
- Speaker Profiles
- LEDLET-Legal Wales Residential Summer Scheme
- Speaker Inserts (added to reflect order of programme)

## WiFi Access

The password for the Hilton WiFi is: **hilton2023**

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## Programme in Brief

**9:00** - Registration

**9:30** - Conference Start

**10:45** - Mid-Morning Break

**13:00 - 14:00** - Lunch (Kindly Sponsored by 11 KBW)

**15:15** - Afternoon Break

**17:30** - Conference Close

**19:00** - Drinks Reception & Conference Dinner

Dinner kindly  
sponsored by:  
(Dress Code: Lounge Suits)



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## Morning Breakout Rooms

**11:45 - 13:00**

**Public Law Wales:** Located upstairs in the Sophia Suite

**Legal Services:** Located upstairs in the Roath Suite

**Criminal Justice:** Located in The Ballroom

## Afternoon Breakout Rooms

**14:00 - 15:15**

**Public Law Wales:** Located upstairs in the Roath Suite

**Law Reform:** Located in The Ballroom

**Welsh Commercial Law:** Located upstairs in the Sophia Suite

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Dinner & Drinks  
Reception Sponsor:



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Lunch Sponsor:

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Our Exhibitors:

**Watkins & Gunn**

*griffinbooks*



Prifysgol Cymru  
Y Drindod Dewi Sant  
**University of Wales**  
Trinity Saint David

**200**  
1822 - 2022

Pwyllgor

**Pro Bono**

Cymru **Committee for Wales**



Partneriaeth Gweithredu  
Adferol Cymru  
Wales Restorative  
Approaches Partnership



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# We're Browne Jacobson.

The law firm for positive impact across business and society.

Our standing as trusted advisers to all aspects of government encompasses an enduring commitment to Wales.

We have had a well-established presence in the Welsh market for over twenty five years including a long-standing client relationship with the Welsh Government more than sixteen years.

We act for a number of other public bodies in Wales (Natural Resources Wales, Qualification Wales, Independent Monitoring Authority for the Citizens Rights Agreements, National Museum of Wales, Welsh Trunk Road Agency and several others), as well as a number of local authorities (Carmarthenshire, Ynys Mon, Flintshire, Neath Port Talbot, and Pembrokeshire amongst others). We have also acted on a number of property-based matters in Wales for local authorities.

We are therefore familiar with and understand key points of difference and nuance between English and Welsh law and policy, be that the planning regime, building safety legislation or emerging procurement legislation amongst other things.

**Wales and its laws are different.  
We know this and understand what it means for you.**

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# Case studies

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## Cardiff Council

### Housing Development Partnership

We are acting for Cardiff Council on their procurement of a new housing development partnership which will see around 2,000 new high quality homes (including affordable homes) developed across a programme of sites in both Cardiff and the Vale of Glamorgan. We have extensive experience of all types of regeneration and are delighted to be working on one of the biggest housing programmes in Wales.

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## Neath Port Talbot

### Celtic Freeport

We are acting for Neath Port Talbot as the lead authority of the newly approved Celtic Freeport. The Freeport will be one of the most important in the UK due to its size, location and its focus on green energy, and in particular floating offshore wind. We are acting on a number of Freeport projects across England and Wales.

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## Natural Resources Wales

### Flooding work

We have worked with NRW, and one of its predecessors, Countryside Council for Wales, for more than 20 years. We have advised on significant flooding events on many occasions, often working closely with local authorities in the affected areas to learn lessons, improve flooding infrastructure and deal with claims. We also act for the Environment Agency and a large number of local authorities across England on flooding claims.

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## Welsh Local Government Association

### Advice on guidance

We are advising the WLGA on guidance which will be issued to all local authorities on a key local authority policy.

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## Welsh Government

### Implementation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALNET)

We are advising the Education division of Welsh Government in respect of the implementation of the ALNET Act, including the secondary legislation consequential amendment programme conducting analysis of the required amendments and drafting the necessary amending legislative provisions.

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## Welsh Local Government Association

We worked with Flintshire County Council, the Welsh LGA and LLG Wales to update the model local authority constitution for Wales. This had previously been updated in 2013. The main driver for this update was the coming into force of the Local Government and Elections (Wales) Act 2021, which introduced a range of changes for local authority constitutions. We also advised on the publication of a constitution guide, which was a new requirement in the 2021 Act. This involved discussing the proposed format with a working group of monitoring officers and representatives of the Welsh Government.

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## Health Board

### Court of Protection

We have been delighted to represent 5 out of 7 of the Health Boards in Wales (so far!). We have supported them with a wide range of health advisory matters in particular assisting with Court of Protection, Children Act and Inherent Jurisdiction proceedings as well as advice regarding the Mental Health Act 1983, information governance and policy drafting.

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## Legal Wales Conference 2023

6 October 2023, Hilton Hotel, Cardiff

### Conference Programme

09:00	<b>REGISTRATION</b>	09:30
09:30	<b>Opening Address</b> Jonathan Elystan Rees KC Chair of Legal Wales	09:45
09:45	<b>Keynote address</b> by Mick Antoniw AS, Counsel General for Wales and Minister for the Constitution	10:15
10:15	<b>Report / Updates</b> by The Law Society's National Board for Wales: Gareth Gwyndaf Jones, Chair of the Policy Committee  The Law Council of Wales: Rt Hon Lord Lloyd-Jones JSC (Chair) Dr Nerys Llewelyn Jones Professor Emyr Lewis Hephzibah Egede	10:45
10:45	<b>REFRESHMENT BREAK</b>	11:10
11:15	<b>"Seven Years in Wales"</b> The Hon Mr Justice Francis reflects on his time as Family Liaison Judge for Wales Introduction by The Hon Mrs Justice Morgan DBE, Family Division Liaison Judge for Wales.	11:45

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## Conference Programme

11:45	<b>MORNING BREAKOUT SESSIONS</b>	13:00
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<p><b>Public Law Wales</b> <b>ROOM:</b> Located upstairs in the Sophia Suite</p> <p>"Wales and Covid-19 Emergency Public Health Legislation"</p> <p><u>Speakers:</u> Professor John Harrington, professor of Global Health Law, Cardiff University</p> <p>Dr Ruth Hussey CB, OBE, DL Bingham Centre Independent Commission on UK Public Health Emergency, Vice chair Food Standards Agency and formerly Chief Medical Officer for Wales</p> <p><b>Chair:</b> Rhodri Williams KC, chair of Public Law Wales</p>	<p><b>Legal Services</b> <b>ROOM:</b> Located upstairs in the Roath Suite</p> <p>Delivering excellence in legal services in Wales <u>Speaker:</u> Richard Orpin - Director, Regulation &amp; Policy, Legal Services Board</p> <p>SRA Wales Office <u>Speaker:</u> Liz Withers – Head of Welsh Affairs, SRA</p> <p>Legal Ombudsman <u>Speaker:</u> Jason Chapman, Legal Ombudsman</p> <p><b>Chair:</b> Nicola Williams, SRA Board Member (Wales) (Partner, Eversheds)</p>	<p><b>Criminal Justice</b> <b>ROOM:</b> Located in The Ballroom</p> <p>"The Welsh Criminal Justice System on the Jagged Edge"</p> <p><u>Speakers:</u> Dr Robert Jones; and Prof Richard Wyn Jones (Wales Governance Centre, Cardiff University)</p> <p><b>Chair:</b> HH Judge Tracey Lloyd-Clarke, The Recorder of Cardiff</p>
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13:00	<p><b>LUNCH</b> Kindly sponsored by:</p> <p><b>11KBW</b></p>	14:00
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Conference Programme

14:00	<b>AFTERNOON BREAKOUT SESSIONS</b>	15:15
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<p style="text-align: center;"><b>Public Law Wales</b></p> <p><b>ROOM:</b> Located upstairs in the Roath Suite</p> <p>(Bilingual talk with simultaneous translation)</p> <p>"Protecting the Historic Environment of Wales (The Historic Environment (Wales) Act 2023"</p> <hr style="width: 20%; margin: 10px auto;"/> <p style="text-align: center;"><u>Speakers:</u></p> <p>Alice Hart (National Trust Lawyer for Wales)</p> <p>Dr Hayley Roberts of Bangor University and Vice Chair of the Royal Commission on Ancient and Historical Monuments in Wales</p> <p><b>Chair:</b> Laura Hughes (Executive Lead Wales, Browne Jacobson)</p>	<p style="text-align: center;"><b>Law Reform</b></p> <p><b>ROOM:</b> Located in The Ballroom</p> <p>Update from the Law Commission of England and Wales</p> <hr style="width: 20%; margin: 10px auto;"/> <p style="text-align: center;"><u>Speakers:</u></p> <p>Rt Hon Sir Nicholas Green, Chair of the Law Commission</p> <p>Nicholas Paines KC Commissioner for Public Law and Welsh Law</p> <p>Welsh Tribunals Update</p> <p style="text-align: center;"><u>Speaker:</u></p> <p>Rt Hon Sir Gary Hickenbottom President of Welsh Tribunals</p> <p><b>Chair:</b> Keith Bush KC (hon) Member of the Law Commission Wales Advisory Committee</p>	<p style="text-align: center;"><b>Welsh Commercial Law</b></p> <p><b>ROOM:</b> Located upstairs in the Sophia Suite</p> <p>Views on the Future of ADR in Wales</p> <hr style="width: 20%; margin: 10px auto;"/> <p style="text-align: center;"><u>Speakers:</u></p> <p>Dr Sarah Nason and Rhys Taylor</p> <p>International Commercial Courts</p> <hr style="width: 20%; margin: 10px auto;"/> <p style="text-align: center;"><u>Speaker:</u></p> <p>HH Judge Christopher Grout (formerly Chief Executive and Registrar of the Qatar International Court)</p> <p><b>Chair:</b> The Hon Mrs Justice Jefford DBE, a Presiding Judge of the Wales Circuit</p>
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15:15	<b>REFRESHMENT BREAK</b>	15:45
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## Conference Programme

15:45	<p><b>Keynote Address</b> by Her Honour Judge Joanna Korner CMG KC British Judge at the International Criminal Court Introduction by Jonathan Elystan Rees KC</p>	16:30
16:30	<p><b>Welsh Legal History Society</b> The History of the Sir Samuel Evans Prize Professor Thomas Watkin KC (hon) Presentation of the 2023 Centenary Prizes and the Prize for 2022 by Rt Hon Dame Carr DBE, Lady Chief Justice of England and Wales, and the Lady Chief Justice of Northern Ireland <b>Chair:</b> Prof Elwen Evans KC – Vice-Chancellor, University of Wales Trinity St David</p>	17:00
17:00	<p><b>Lady Carr DBE, Lady Chief Justice of England and Wales</b> Introduction by Jonathan Elystan Rees KC</p>	17:20
17:20	<p><b>Close of Conference by Jonathan Elystan Rees KC</b></p>	17:30
<p><b>19:00</b> Drinks Reception</p> <p><b>19:45pm</b> Dinner Served</p>	<p><b>Legal Wales Conference Dinner</b> Hilton Hotel, Cardiff. <b>Dress code:</b> business attire</p> <p>Conference Dinner Sponsor:</p>  <p><b>PARK PLACE</b></p> <p><u>Guest Speaker:</u> HH Wendy Joseph KC (author of "Unlawful Killings") Vote of thanks on behalf of the Guests: Lady Chief Justice of Northern Ireland (Rt Hon Dame Siobhan Keegan DBE)</p>	

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## Public Law Day 2024

Thursday 21st March 2024  
Park Plaza Cardiff - BOOK NOW!

Join 30 Park Place chambers for the next annual Public Law Day, hosted on the 21st March 2024 in central Cardiff.

The set's leading Public Law team will be joined by guest speakers. The full programme to be announced shortly and will include sessions on:

Public Law

Court of Protection

Education Law

Book Your Place Today

For further details and to register for the event, please email [events@30parkplace.co.uk](mailto:events@30parkplace.co.uk).

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## CYNHADLEDD CYMRU'R GYFRAITH 2023

6 Hydref 2023, Gwesty Hilton, Caerdydd

### Rhaglen Cynhadledd

09:00	<b>COFRESTRU</b>	09:30
09:30	<b>Sesiwn Agoriadol</b> Jonathan Elystan Rees KC Cadeirydd, Sefydliad Cymru'r Gyfraith	09:45
09:45	<b>Prif anerchiad</b> gan Mick Antoniw AS, Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad	10:15
10:15	<b>Adroddiad / Diweddariadau</b> gan Bwrdd Cenedlaethol Cymru Cymdeithas y Cyfreithwyr: /Gareth Gwyndaf Jones, cadair, Pwyllgor Polisi Bwrdd Cenedlaethol Cymru Cymdeithas y Cyfreithwyr a Cyngor Cyfraith Cymru Y Gwir Anrh yr Arglwydd Lloyd-Jones UGL (Cadeirydd) Rt Hon Lord Lloyd-Jones JSC (Chair) Dr Nerys Llewelyn Jones Professor Emyr Lewis Hephzibah Egede	10:45
10:45	<b>COFFI</b>	11:10
11:15	<b>"Saith Mlynedd yng Nghymru"</b> Yr Anrhydeddus Mr Ustus Francis yn myfyrio ar ei amser fel Barnwr Cyswllt Is-adran Teuluoedd Cymru Cyflwyniad gan yr Anrhydeddus Mr Ustus Morgan DBE, Barnwr Cyswllt Is-adran Teuluoedd Cymru	11:45

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## Rhaglen Cynhadledd

11:45	<b>SESIYNAU ARBENIGOL Y BORE</b>	13:00
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<b>Cyfraith Gyhoeddus Cymru</b>	<b>Gwasanaethau Cyfreithiol</b>	<b>Cyfiawnder Troseddol</b>
<p>"Cymru a Deddfwriaeth lechyd Cyhoeddus Frys Covid-19"</p> <hr/> <p><u>Siaradwyr:</u> Yr Athro John Harrington, Athro Cyfraith lechyd Bydeang, Prifysgol Caerdydd</p> <p>Dr Ruth Hussey CB, OBE, DL Canolfan Bingham: Comisiwn Annibynnol ar Bwerau Argyfwng lechyd Cyhoeddus y DU, Is-gadeirydd Yr Asiantaeth Safonau Bwyd a chyn Brif Swyddog Meddygol Cymru</p> <p><b>Cadair:</b> Rhodri Williams CB, cadair Cyfraith Gyhoeddus Cymru</p>	<p>Darparu rhagoriaeth mewn gwasanaethau cyfreithiol yng Nghymru</p> <p><u>Siaradwr:</u> Richard Orpin - Cyfarwyddwr, Rheoleiddio a Pholisi – Bwrdd Gwasanaethau Cyfreithiol Swyddfa Cymru SRA</p> <p><u>Siaradwr:</u> Liz Withers – Pennaeth Materion Cymreig, Awdurdod Rheoleiddio Cyfreithwyr</p> <p>Ombwdsmon y Gyfraith</p> <p><u>Siaradwr:</u> Jason Chapman, Ombwdsmon, Ombwdsmon y Gyfraith</p> <p><b>Cadeirydd:</b> Nicola Williams – Aelod Bwrdd SRA (Cymru) (Partner-Eversheds)</p>	<p>"System Cyfiawnder Troseddol Cymru: Ar y Rhwyg"</p> <hr/> <p><u>Siaradwyr:</u> Dr Robert Jones a'r Athro Richard Wyn Jones (Canolfan Llywodraethiant Cymru, Prifysgol Caerdydd)</p> <p><b>Cadeirydd:</b> Ei Hanrhydedd Y Barnwr Tracey Lloyd-Clarke, Cofiadur Caerdydd</p>

13:00	<b>CINIO</b>	14:00
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Rhaglen Cynhadledd

14:00	<b>SESIYNAU ARBENIGOL Y PRYNHAWN</b>	15:15
<p><b>Cyfraith Gyhoeddus Cymru</b> (Yn Gymraeg gyda chyfieithu ar y pryd)</p> <p>"Diogelu Amgylchedd Hanesyddol Cymru (Deddf yr Amgylchedd Hanesyddol (Cymru) 2023)"</p> <p><u>Siaradwyr:</u> Alice Hart (Cyfreithiwr yr Ymddiriedolaeth Genedlaethol i Gymru)</p> <p>Dr Hayley Roberts, Prifysgol Bangor ac Is-gadeirydd y Bwrdd Comisiynwyr yng Nghomisiwn Brenhinol Henebion Cymru</p> <p><b>Cadeirydd:</b> Laura Hughes (Arweinydd Gweithredol Cymru gyda Browne Jacobson)</p>	<p><b>Diwygio'r Gyfraith</b></p> <p>Diweddariad gan Gomisiwn y Gyfraith Cymru a Lloegr</p> <p>—————</p> <p><u>Siaradwyr:</u> Y Gwir Anrh Syr Nicholas Green, Cadeirydd Comisiwn y Gyfraith Nicholas Paines CyB, Comisiynydd Cyfraith Gyhoeddus a'r Gyfraith yng Nghymru</p> <p>Diweddariad Tribiwnlysoedd Cymru</p> <p><u>Siaradwr:</u> Y Gwir Anrh Syr Gary Hickinbottom, Llywydd Tribiwnlysoedd Cymru</p> <p><b>Cadeirydd:</b> Keith Bush KC (hon) Member of the Law Commission Wales Advisory Committee</p>	<p><b>Cyfraith Fasnachol Cymru</b></p> <p>Barnau ar Ddyfodol ADR yng Nghymru</p> <p>—————</p> <p><u>Siaradwyr:</u> Siân Mirchandani CyB a Rhys Taylor</p> <p>Llysoedd Masnachol Rhyngwladol</p> <p>—————</p> <p><u>Siaradwr:</u> Ei Hanrhydedd y Barnwr Christopher Grout (cyn Brif Weithredwr a Chofrestrydd Llys Rhyngwladol Qatar)</p> <p><b>Cadeirydd:</b> Yr Anrhydeddus Mrs Ustus Jefford DBE, Barnwr Llywyddol Cylchdaith Cymru</p>
15:15	<b>TE</b>	15:45

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## Rhaglen Cynhadledd

15:45	<p><b>Prif Anerchiad</b> gan Ei Hanrhydedd y Barnwr Joanna Korner CMG CyB Barnwr Prydeinig yn y Llys Troseddol Rhyngwladol Cyflwyniad gan Jonathan Elystan Rees CyB</p>	16:30
16:30	<p><b>Cymdeithas Hanes Cyfraith Cymru</b>  Hanes Gwobr Syr Samuel Evans Yr Athro Thomas Watkin CyB (hon) Cyflwyniad Gwobrau Canmlwyddiant 2023 a Gwobr 2022 gan Y Gwir Anrh Fonesig Sue Carr DBE ac Arglwyddes Brif Ustus Gogledd Iwerddon  <b>Cadeirydd:</b> Yr Athro Elwen Evans CyB, Is-Ganghellor, Prifysgol Cymru a Phrifysgol Cymru y Drindod Dewi Sant</p>	17:00
17:00	<p><b>Y Gwir Anrh. Arglwyddes Carr DBE, Arglwyddes Prif Ustus Cymru a Lloegr</b> Cyflwyniad gan Jonathan Elystan Rees CyB</p>	17:20
17:20	<p><b>Sesiwn Gloi gan Jonathan Elystan Rees CyB</b></p>	
19:00	<p><b>Cinio Cynhadledd</b> Gwesty Hilton, Caerdydd. <b>Trefn gwisg:</b> Gwisg busnes</p>  <p><b>PARK PLACE</b>  <u>Siaradwr Gwadd:</u> Ei Hanrhydedd Wendy Joseph CyB (awdur "Unlawful Killings")  Gair o ddiolch ar ran y Gwesteion: Arglwyddes Brif Ustus Gogledd Iwerddon (Y Gwir Anrh Fonesig Siobhan Keegan DBE)</p>	



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## Speaker Biographies



**Jonathan Elystan Rees KC** has been the Chair of Legal Wales since 2022.

Jonathan is a graduate of Jesus College, Cambridge and was called to the Bar by the Inner Temple in 2000, becoming a Bencher in 2020. Practicing from chambers in Cardiff, Chester, London and Manchester, Jonathan specialises in international criminal law, white collar fraud, serious crime and professional misconduct.

He has recently appeared before the Kosovo Specialist Chambers sitting in The Hague. Jonathan sits as a Recorder in the Crown Court.



**Mick Antoniw AS/MS** came to Wales to study law at the Cardiff Law School in 1973. He was President of the National Union of Students Wales from 1977 to 1979.

Mick was a practising solicitor specialising in personal injury and partner in the firm of Thompsons, with whom he began his training in 1980, before being elected to the Senedd in 2011 as the Member for Pontypridd. Between June 2016 and November 2017 Mick served as Counsel General, the Welsh Government's Law Officer. On 13 May 2021 Mick again became Counsel General and was additionally appointed Minister for the Constitution. Mick is of Ukrainian and Danish heritage and he is a fluent Ukrainian speaker. In 2019 he was appointed to the Order of Merit of Ukraine.



**Lord Lloyd-Jones JSC** is the President of the Law Council of Wales.

David Lloyd-Jones was educated at Pontypridd Boys' Grammar School. He was a Fellow of Downing College Cambridge from 1975 to 1991 before entering full time practice at the Bar. He took silk in 1999 and was appointed to the High Court in 2005, serving as a Presiding Judge of the Wales Circuit. Appointed to the Court of Appeal in 2012, also served as Chair of the Law Commission of England and Wales.

His tenure at the Law Commission, saw the publication of an important report on the "The Form and Accessibility of the Law Applicable in Wales" (2017), which pointed the way to subsequent consolidation and codification initiatives. In 2017, he was appointed the first Justice of the Supreme Court of the UK to come from Wales. Lord Lloyd-Jones is currently the Treasurer of the Middle Temple.



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## Speaker Biographies



**Huw Williams** is the chair of the Programme Sub-Committee for Legal Wales 2023 and Huw originated the idea of a Legal Wales Conference over 20 years ago.

Huw is currently Chief Legal Adviser to the Senedd, having joined in 2019 after a career in local government and as a partner in the firm of Geldards LLP for over thirty years, where he was the Lead Partner – Public Law and Senior Partner in the firm's Cardiff office. Huw is a past Chair of Legal Wales and of Public Law Wales. He has been a longstanding member of the Law Society's Planning and Environment Law Committee and the Wales Committee and he is currently a co-opted member of the National Board for Wales. Huw's other external roles have included serving as a Trustee of both the National Museum of Wales and of the National Library of Wales and for over twenty years as the Company Secretary of the Wales Millennium Centre.



**Nerys Llewelyn Jones** is a Member of the Law Council of Wales.

Founder and current Managing Partner of AgriAdvisor Legal which was established on her home farm in Pumsaint, Carmarthenshire in 2011, Nerys has first-hand knowledge of the farming industry and her firm specialises in advice to the agricultural sector.

Nerys obtained a doctorate from Aberystwyth University for research on Sustainable Agriculture and its Implementation and Enforcement at an International, European and regional level. She is a fellow of the Agricultural Law Association and an ADR Accredited Mediator. Nerys sits as a Landowner Member of the Agricultural Land Tribunal Wales. Between 2017 and 2019 Nerys served on the Commission on Justice in Wales. In 2021 she was appointed Interim Environmental Protection Assessor for Wales by the Welsh Government. Nerys has two young sons and farms a sheep farm in conjunction with her husband.



**Gareth Gwyndaf Jones** is the Deputy Chair of the Law Society National Board for Wales.

A graduate of the University of South Wales, he was admitted a solicitor in 2004. In 2013 Gareth obtained Higher Rights of Audience in Crime and conducts cases in both Welsh and English.

Gareth practiced law in several firms across South Wales before becoming a senior director of the long-established firm of Gomer Williams in Llanelli, Cockett, Ammanford and Merthyr Tydfil.



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## Speaker Biographies



**Professor Emyr Lewis FLSW** is the Deputy President of the Law Council of Wales and chairs its Education and Training Working Group. Emyr was appointed Head of Aberystwyth Law School in September 2019. Before then he was Senior Partner in the Cardiff office of the firm of Blake Morgan (originally Morgan Bruce and Nicholas), specialising in Public Law, Commercial Law and the law of State Aid and Public Procurement.

During his time in practice Emyr served for 12 years as the United Kingdom member on COMEX, the Council of Europe's Committee of Experts monitoring states' compliance with the European Charter for Regional and Minority Languages and was Senior Fellow in Welsh Law at the Wales Governance Centre at Cardiff University. He has given evidence to UK and Welsh Parliamentary Committees on devolution, language law, devolved tax law and children's rights. He is currently a member of the panel of experts advising the Independent Commission on the Constitutional Future of Wales, a member of the Wales Advisory Committee of the Law Commission and of the steering Committees of Legal Wales and Public Law Wales. Emyr is a winner of both the Crown (1998) and the Chair (1994) at the National Eisteddfod of Wales.



**Hephzibah Egede** is the LLB Programme Director at Cardiff Metropolitan University and a member of the Education and Training Group of the Law Council of Wales.

Hephzibah Egede is a dual qualified lawyer admitted in Nigeria, and in England and Wales. Hephzibah has taught at the University of Buckingham, Birmingham Law School, University of Birmingham and as LLM tutor at the Cardiff Law School, Cardiff University. Hephzibah conducts research in the field of reproductive health care rights, health equity and gender equality. She has published work on shrouded gender and reproductive issues in child welfare and protection proceedings. Hephzibah's research interests also cover Energy and Environmental Law. She acted as a co-investigator with Prof Robert Lee (principal investigator) on the "Law and Your Environment" project funded by UKELA, which delivered a public access website to improve access to environmental law information in the United Kingdom.



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Legal Skills: Succeeding in the Legal Environment	Core	Exam Based
Property and Conveyancing	Core	Exam Based
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## PRENTISIAETHAU PARAGYFREITHIOL

### LEFEL 3

#### - PARAGYFREITHIOL

Mae'r Brentisiaeth Baragyfreithiol hon yn cyfuno ymagwedd ymarferol â'r wybodaeth academiaidd sydd ei hangen i fod yn weithiwr paragyfreithiol llwyddiannus. Mae rhoi sylw i fanylion, sgiliau cyfathrebu a rheoli pwysau mewn amgylchedd prysur yn nodweddion allweddol sy'n rhan o'r rôl hon ac eraill yn y diwydiant cyfreithiol.

TEITL Y MODIWL	CRAIDD / DEWISOL	MANYLION ASESU
Cyfraith Contractau	Craidd	Seiliedig ar Arholiad
Cyflwyniad i Eiddo a Chleientiaid Preifat	Craidd	Seiliedig ar Arholiad
Systemau Cyfreithiol	Craidd	Seiliedig ar Arholiad
Sgiliau Cyfreithiol: Llwyddo yn yr Amgylchedd Cyfreithiol	Craidd	Seiliedig ar Arholiad
Sgiliau Cyfreithiol: Ymchwil Cyfreithiol	Craidd	Seiliedig ar Arholiad
Cyfraith Camwedd	Craidd	Seiliedig ar Arholiad

### LEFEL 5

#### - PARAGYFREITHIOL UWCH

Mae hon yn rhaglen hynod ymarferol a gynlluniwyd i ddatblygu'r sgiliau a'r priodoleddau hanfodol sydd eu hangen i fod yn weithiwr proffesiynol paragyfreithiol uwch llwyddiannus. Mae'n cyflwyno gwybodaeth gyfreithiol hollbwysig ar draws gwahanol feysydd ymarfer cyfreithiol. Bydd prentisiaid sy'n cofrestru ar brentisiaeth Lefel 5 mewn Gwasanaethau Cyfreithiol yn astudio cam Uwch CPQ.

TEITL Y MODIWL	CRAIDD / DEWISOL	MANYLION ASESU
Cyfraith Trosedd ac Ymglyfreitha	Craidd	Seiliedig ar Arholiad
Datrys Anghydfodau ac Ymglyfreitha	Craidd	Seiliedig ar Arholiad
Sgiliau Cyfreithiol: Ymchwil Cyfreithiol	Craidd	Seiliedig ar Arholiad
Sgiliau Cyfreithiol: Llwyddo yn yr Amgylchedd Cyfreithiol	Craidd	Seiliedig ar Arholiad
Eiddo a Thrawsgludo	Craidd	Seiliedig ar Arholiad
Cyfraith Busnes a Chyflogaeth ac Ymarfer	Dewisol	Seiliedig ar Arholiad
Cyfraith Teulu ac Ymarfer	Dewisol	Seiliedig ar Arholiad
Ewyllysiau, Profiant a Chleientiaid Preifat	Dewisol	Seiliedig ar Arholiad

I gael mwy o wybodaeth am y prentisiaethau cysylltwch â ni ar

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**The Hon Mr Justice Francis (Sir Nicholas Francis)** was born in Penarth and served as family Division Liaison Judge for Wales since 2016. After graduating from Downing College, Cambridge, Sir Nicholas was called to the Bar by Middle Temple in 1981. He specialised in family law and became head of chambers at 29 Bedford Row, being appointed Queen's Counsel in 2002.

He was appointed as an Assistant Recorder in 1999 and later a Recorder sitting on the South Eastern Circuit in July, 2000. Sir Nicholas was appointed as a Deputy High Court judge in 2011 and became a High Court judge in 2016 and was assigned to the Family Division. In 2017, he ruled on the controversial best interests case of Charlie Gard.



**The Hon Mrs Justice Morgan (Dame Sarah Morgan, DBE)** was born in Wales, the daughter of a teacher and a civil engineer. She spent some of her early childhood living in the Caribbean before her family returned to the UK and settled in the Midlands, where she attended state schools.

Dame Sarah studied law at Brunel University, graduating in 1987. She was called to the Bar at Gray's Inn in 1988 and practised from 1GC Family Law chambers in London where she specialised in Family Law, particularly relating to children. She was appointed a Recorder sitting in the criminal and family courts on the South Eastern circuit in 2009 becoming Queen's Counsel in 2011. In 2019, Dame Sarah was appointed as a deputy High Court Judge and in 2022 she was appointed to the High Court and assigned to the Family Division. In 2023 she became Family Presiding Judge for Wales, in succession to Francis J.



**Professor John Harrington FLSW** is Professor of Global Health Law at Cardiff University, holding degrees in law from Trinity College, Dublin (LL.B.) and Oxford University (BCL).

Prof Harrington is chair of the Socio-Legal Studies Association (SLSA) for four years in 2022. SLSA is a major learned society in the UK, with members around the world. Prof Harrington has been the Director of the Economic and Social Research Council's Doctoral Training Partnership in Wales since 2019. Before moving to Cardiff Prof Harrington held appointments as Professor of Law, University of Liverpool (2004-14) and directed Liverpool University's Institute of Medicine Law and Bioethics (2006-10), Lecturer in Law, Warwick University (1994-2004) and Lecturer in the Department of Comparative Law at the Free University of Berlin (1992-4). He has held visiting and research appointments at the University of Melbourne (2006), a Jean Monnet Fellow at the European University Institute, Florence, Italy (2001-2), at the Universities of Dar es Salaam and Cape Town, at the Wissenschaftszentrum fuer Sozialforschung (WZB) in Berlin, at the Institute of Health, Warwick University and at the British Institute in Eastern Africa and a Visiting Researcher at the African Population and Health Research Centre, both in Nairobi (201-14). Prof Harrington speaks Irish, English and German (C2), French (C1) Italian (B2), Kiswahili (A2) and Welsh (A1).



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## Speaker Biographies



**Dr Ruth Hussey CB, OBE, DL** was Chief Medical Officer for Wales 2012-2016. Born and brought up in north Wales, her career developed in England, initially training as a GP; working in academia; as Director of Public Health in Liverpool; and then in strategic leadership posts in north-west England for the NHS and Department of Health.

Prior to joining Welsh Government, she was part of the Public Health Transition Team in the Department of Health, Whitehall. Ruth is Deputy Chair of the Food Standards Agency, Deputy Chair of the Health Foundation, Chair of the advisory board for the NIHR, School of Public Health Research and Chair of the Care Inspectorate Wales Advisory Board as well as contributing to other research and policy groups.



**Rhodri Williams KC** is the Chair of Public Law Wales.

Rhodri studies Modern Languages at Exeter College, Oxford. He was called to the UK Bar in 1987 and to the Bar of Northern Ireland in 2009, and he took silk in 2010. Prior to joining Keating Chambers in October 2022, he was a member of Henderson Chambers in London and 30 Park Place Chambers in Wales. Rhodri specialises in public procurement cases and is a longstanding expert in the field, his experience includes representing the successful appellants in the first ever case concerning public procurement to be heard before the Supreme Court in *Brent LBC v Risk Management Partners Ltd & London Authorities Mutual Ltd & Harrow LBC* [2011] UKSC 7. More recently he was instructed in a claim for breach of the Public Contracts Regulations 2015, concerning provision of orthodontic services during the Covid-19 pandemic. In addition to public procurement, Rhodri also deals with a wide range of public law cases in England, Wales and in Northern Ireland. In 2000, he was appointed to the Attorney General's list of approved Counsel and to the list of the Counsel General to the National Assembly for Wales (subsequently Senedd Cymru/the Welsh Parliament) and has represented the United Kingdom Government on several occasions before the Court of Justice of the European Union in Luxembourg.



**Richard Orpin**, Director, Regulation & Policy, Legal Services Board. Richard leads the policy, research and regulatory teams at the Legal Services Board.

Before joining the LSB, Richard was Public Policy Principal at Ofcom, leading Ofcom's engagement with Government and Parliament on all broadcasting and media matters. From 2017 to 2022, as Consumer Policy Principal, he led Ofcom's work on customer fairness. From 2014 to 2017, he managed Ofcom's review of the regulation of Royal Mail. Before joining Ofcom in 2014, he worked at the Department for Culture, Media & Sport (DCMS) for seven years, including as Head of Domestic Gambling Policy. He also held policy roles in broadcasting, school sport and culture during his time at DCMS.

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## Speaker Biographies



**Liz Withers** – Head of Welsh Affairs, Solicitors' Regulatory Authority Liz was appointed the SRA's first Head of Welsh Affairs Officer 2021 and spearheaded the opening of the SRA office in Cardiff in 2022.

Liz leads the SRA's public affairs and stakeholder engagement activities in Wales, including strengthening our understanding of the Welsh legal landscape and working with local consumer groups. Prior to the SRA Liz worked in a number of high-profile public affairs roles within Wales including for Citizens Advice Cymru, the Equality and Human Rights Commission, National Autistic Society and Consumer Focus (Wales).



**Jason Chapman** – Ombudsman Jason originally joined the Legal Ombudsman in 2011 as an investigator before being appointed as an ombudsman in 2013. In his ten years as an Ombudsman Jason gained a wealth of experience and has determined over 3,500 complaints.

Prior to joining the Legal Ombudsman, Jason was an experienced Commercial Manager, working in several sectors, including consumer finance, leasing, travel and facilities management. During this time, he also gained considerable experience managing regulatory and compliance functions.



**Nicola Williams** is a Board Member of the SRA. Nicola is a partner in the Cardiff office of Eversheds Sutherland LLP, having rejoined the firm in 2023 to work in the regulated utilities sector group.

Nicola trained at Slaughter and May, including time spent in the firm's Brussels office, and joined the Disputes and Investigations team on qualification, where she worked on complex disputes as an Associate for six years. In 2004 she moved to Eversheds Sutherland, first as an Associate and from 2007 as a Partner based in the firm's Cardiff office, where she led the Commercial Dispute Resolution team and specialised in dispute resolution for clients in regulated sectors. She was also Graduate Recruitment partner for the Cardiff Office of Eversheds and maintains a strong interest in legal education and the future of the profession. In 2012, she moved to an in-house role, first as General Counsel and Company Secretary, latterly as Legal and Compliance Director and Company Secretary, of Dŵr Cymru Welsh Water. Previous roles have included being a member of the Wales Committee for the Equality and Human Rights Commission (2015-2020). Nicola is Vice Chair of the Board of directors for Citizens Advice Rhondda Cynon Taf.



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## Speaker Biographies



**Professor Richard Wyn Jones FAcSS FLSW** is Director of Cardiff University's Wales Governance Centre and Dean of Public Affairs. Richard was a former Professor of Welsh Politics at Cardiff as well as the founding Director of the Institute of Welsh Politics and Critical Security Studies at Aberystwyth University. Since 1997, he has led election surveys helping to detail the attitudes of electors in Wales in the immediate aftermath of Westminster and National Assembly elections. Richard joined the staff of Cardiff University in February 2009 as Director of the Wales Governance Centre. In 2011, he was elected a Fellow of the Learned Society of Wales. Richard has written extensively on contemporary Welsh politics, devolved politics in the UK, and nationalism. He is often featured on BBC appearing on both Welsh and English-language broadcasts. He is the co-author with Robert Jones of a ground-breaking study of criminal justice in Wales "The Welsh Criminal Justice System: On the Jagged Edge" (2022).



**Dr Robert Jones** joined Cardiff School of Law and Politics in January 2022 as a Lecturer in the Welsh Criminal Justice System. His main areas of interest are imprisonment, penal policy, devolution, and criminal justice in Wales. He is a member of the Wales Governance Centre and the Cardiff Centre for Crime, Law and Justice. Rob is also a Coordinator of the European Group for the Study of Deviance and Social Control's Prisons, Punishment and Detention Working Group. He is the co-author with Prof Richard Wyn Jones of a ground-breaking study of criminal justice in Wales "The Welsh Criminal Justice System: On the Jagged Edge" (2022). In 2018, Rob was seconded to the Wales Governance Centre's Justice and Jurisdiction project which was set up to inform the ongoing work of the Commission on Justice in Wales. He was cited as an Expert Contributor within the Commission's final report published in October 2019. Rob currently teaches on Miscarriages of Justice: The Cardiff Innocence Project and Crime, Law and Society. He is the Chair of the School of Law and Politics Research Ethics Committee.



**HH Judge Tracey Lloyd-Clarke**, The Recorder of Cardiff. Judge Lloyd-Clarke was appointed as a Senior Circuit Judge and the Resident Judge for Cardiff, Newport and Merthyr Tydfil in 2021. She was sworn in as Recorder of Cardiff in May 2022

Judge Lloyd-Clarke was called to the Bar by the Middle Temple in 1988 and practiced in London and the Midlands before joining 30 Park Place Chambers in Cardiff in 2005.



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## Speaker Biographies



**Alice Hart** is part of the Legal Team at the National Trust. A Property Lawyer by background, she provides legal support to the regional staff in NT Cymru.

She was involved in the acquisition of the Hafod Estate in the Ystwyth Valley, Ceredigion in 2022 and more recently has overseen the implementation of the Renting Homes (Wales) Act 2016 across the Welsh residential let estate.



**Dr Hayley Roberts** Reader in Law at Bangor University and is the Vice-Chair of the Royal Commission on Ancient and Historic Monuments in Wales.

Hailing from Caernarfon, Gwynedd, a town steeped in history, Hayley has always been interested in heritage and the historic landscape. She read Law at the University of Wales, Bangor, developing an interest in the legal protection of historic shipwrecks, before continuing this research for her PhD. In 2013, she joined the School of Law at Bangor University as a Lecturer in Public International Law (initially as a Coleg Cymraeg Cenedlaethol lecturer), developing programmes in the law of the sea and maritime law. Hayley's research reflects her expertise in maritime heritage, both domestically and internationally. She is particularly interested in the international regulation of underwater cultural heritage, the impact of devolution on the protection of maritime heritage in the UK, and alternative ways of protecting the historic environment. She has led a number of funded research projects and has been published in leading journals in her field. Later this year the University of Wales Press will publish Hayley's book on "State-owned Shipwrecks and International Law"



**Laura Hughes** is a partner at Browne Jacobson and head of the public law team, as well as head of the insurance and public risk department. Laura is also the Executive Lead Wales.

Laura is an experienced public law expert who advises her clients on their most important and high-profile matters. She acts across the public sector advising clients in government, local government, education, health, audit, sports and natural resources. Laura has over 19 years' experience advising public sector clients on the full range of public law matters including decision making, consultation, statutory interpretation, statutory and guidance drafting, judicial review and civil enforcement. Laura's clients include Welsh Government, National Audit Office, Natural Resources Wales, Sport England, Qualification Wales, Northern Ireland Audit Office, UK Sport, and the Cabinet Office. Laura has a particular specialism in the environment and has acted for many of the environmental regulators throughout her legal career. She is a passionate supporter of organisations looking to move to net zero or otherwise manage their environmental impact and leads the firm's own efforts in this area.





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## Speaker Biographies



**Rt Hon Sir Nicholas Green** was appointed as Chair of the Law Commission in 2018.

Sir Nicholas is a former academic having lectured at the University of Southampton and the University of London. He was called to the Bar in 1986 and appointed a Queen's Counsel in 1998.

He was made a judge of the High Court of Justice (Queen's Bench Division) in 2013 and in June 2018 it was announced he would be joining the Court of Appeal. Sir Nicholas has also previously served as Chairman of the Bar Council and the Advocacy Training Council.



**Nicholas Paines KC** was appointed as Law Commissioner with responsibility for public law in 2013 and in 2018 he was reappointed for a further five years. He is also the Commissioner with responsibility for Welsh Law.

Nick was formerly a leading silk in EU and public law. He sits as a Deputy High Court Judge in the Administrative Court, a Deputy Judge of the Upper Tribunal (Administrative Appeals Chamber) and the First-tier Tribunal (Tax Chamber) and as a Recorder in the Crown Court. He is also a member of the Bar of Northern Ireland.



**Rt Hon Sir Gary Hickinbottom** is the President of Welsh Tribunals. Sir Gary was the fourth solicitor to be appointed a High Court Judge and who practised in commercial and public law until 2000 as a partner with the firm of McKenna & Co (now CMS Cameron McKenna) and also sitting as a part-time judge. His first judicial role was as a Parking Adjudicator.

Sir Gary's full time judicial career started as resident civil judge in Swansea while also hearing criminal cases throughout Wales and beyond. He was authorised within a year to take High Court work, becoming a Senior Circuit Judge by 2003 and undertaking specialist appointments in social security and pensions tribunals, the Technology and Construction Court, the Administrative Court, the Mercantile Court and even the Supreme Court of the Falkland Islands. He was judicial lead on the programme of tribunal reform under the Tribunals, Courts and Enforcement Act 2007, before being made a High Court Judge in 2008. Sir Gary served as a Presiding Judge on the Wales Circuit and was appointed to the Court of Appeal in 2017. Following his retirement Sir Gary was appointed in 2021 by the Governor of the British Virgin Islands to inquire into allegations of corruption, abuse of office or other serious dishonesty in public office in recent years, and if so, what conditions allowed this to happen. His report in 2022 recommended a temporary suspension of the Constitution. Sir Gary was appointed President of Welsh Tribunals in May 2023.

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**Keith Bush KC (hon) LLM (London) Barrister** is a Senior Fellow in Welsh Law in the Wales Governance Centre (having previously been an Honorary Professor of Law at Swansea University). He was, until August 2019, President of the Welsh Language Tribunal, and has served as a Recorder (sitting in the County Court) a member of the Law Commission's Advisory Committee for Wales and Secretary of the Wales Public Law and Human Rights Association. He is currently Treasurer of the Legal Wales Foundation and Director of the annual Legal Wales Conference. Having practised at the Bar in Cardiff for over 20 years, he joined the Welsh Government's legal service in 1999, where he became Legislative Counsel, leading the legal team which worked on a number of bills relating to Wales, including the one that became the Government of Wales Act 2006. From 2007 until 2012 he was Chief Legal Adviser to the National Assembly for Wales. At Cardiff University, he is a member of the team teaching higher degree Modules on Constitutionalism and Governance and the Law of Devolution in Wales. He was appointed Queen's Counsel (Honoris Causa) in 2014 in recognition of his contribution to increasing public knowledge of Welsh law.



**Rhys Taylor** specialises in money and property disputes following family relationship breakdown.

Called to the Bar in 1996 after studying at Reading University, Rhys is a member of 30 Park Place Chambers in Cardiff. In the field of financial remedies he has a noted and sought after specialism dealing with pensions on divorce. Rhys is both an IFLA appointed arbitrator and civil mediator. He also offers Early Neutral Evaluation (private FDRs) for both TOLATA and financial remedy disputes. He was voted "Family Law Commentator of the Year" in the 2015 Jordans' Family Law Awards. He is a co-author of the third edition of "Pensions on Divorce: A Practitioner's Handbook" (LexisNexis/Jordans) and a member of the Pension Advisory Group. Rhys lectures on his areas of interest, including at the Judicial College about pensions on divorce.



**Dr Sarah Nason** is a Senior Lecturer at Bangor University. She holds a BA in Law from the University of Cambridge and read for her PhD in Laws at University College London. Sarah's research interests include administrative justice, dispute resolution, devolution, human rights and judicial review. Sarah has published widely in these fields including editing a collection on Administrative Justice in Wales and Comparative Perspectives (University of Wales Press 2017). Her research has been funded by the British Academy, Nuffield Foundation, Welsh Government, Ministry of Justice, ESRC and others. She is an academic panel member of the UK Administrative Justice Council, and a member of the Editorial Committee of the journal Public Law co-authoring the journal's current survey section. Sarah was Independent Expert Adviser to the Senedd Cymru Legislation, Justice and Constitution Committee's 2020 inquiry into 'Making Justice Work in Wales'.





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## Speaker Biographies



**Mrs Justice Jefford DBE** (Dame Nerys Jefford DBE) was born and brought up in Swansea. She was educated at Olchfa Comprehensive School in Swansea before studying law at Lady Margaret Hall, Oxford, and at the University of Virginia, where she was a Fulbright Scholar. Dame Nerys was called to the Bar by Gray's Inn in 1986 and practised at Keating Chambers in London, specialising in construction and engineering law. She was appointed as a Recorder in 2007 and as Queen's Counsel in 2008. She was appointed a High Court Judge in 2016. In 2020 she was appointed a Presiding Judge of the Wales circuit. Dame Nerys has maintained her links with Wales through long-standing membership of the London Welsh Chorale and her involvement with the Association of London Welsh Lawyers and the Lord Edmund Davies Legal Education Trust.



**Professor Elwen Evans, KC** became the the Vice-Chancellor of the University of Wales Trinity St David in September 2023. Prior to her appointment she was Pro-Vice-Chancellor and Executive Dean for the Faculty of Humanities and Social Sciences at Swansea University with responsibility for the Welsh Language and Culture within the University and before that Head of the College of Law & Criminology where she was responsible for establishing the Hillary Rodham Clinton School of Law. Professor Evans read Law at Girton College, Cambridge, graduating with a double first: M.A. (Cantab). On graduating she attended the Inns of Court School of Law and was called to the Bar by Gray's Inn in 1980. She was appointed a Recorder in 2001 and became Queen's Counsel in 2002; Head of Iscoed Chambers for over 15 years, stepping down on her appointment to Swansea University in 2015. Professor Evans has enjoyed a very successful career as a barrister, practicing mainly in Wales. She was best known for her work in criminal law at trial and appellate levels. She led the prosecution team in the April Jones case and the defence team in the Gleision mine disaster case. In 2021 Professor Evans was appointed by the Police and Crime Commissioner for South Wales to lead an Independent Learning Review into the disorder at Mayhill and Waun Wen, Swansea in May 2021. In 2022 Professor Evans was appointed by the Welsh Government to conduct an independent review of the Local Government section 19 and Natural Resources Wales reports into extreme flooding in winter 2020-2021.



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## Speaker Biographies



**Judge Joanna Korner CMG KC** is a Judge of the International Criminal Court.

Judge Joanna Korner CMG QC has practiced criminal law for more than 45 years as a judge and barrister. Prior to joining the ICC, she has served since 2012 as a judge of the Crown Court of England and Wales, trying the most serious and complex criminal cases including cases of fraud and murder. Appointed QC in 1993, she has also prosecuted and defended in numerous cases in the courts of England and Wales.

Her experience includes a total of eight years (1999-2004 and 2009-2012) as a senior prosecutor at the International Criminal Tribunal for the former Yugoslavia, including leading in the cases of Prosecutor v. Mićo Stanišić and Stojan Župljanin, Prosecutor v. Radoslav Brđjanin and Momir Talić, and Prosecutor v. Milomir Stakić. As a renowned expert, Judge Korner has organised and taught on numerous training programmes on international criminal law and advocacy for judges and lawyers from different regions. Between 2004-2005, she was Senior Legal Adviser to the Chief Prosecutor of Bosnia and Herzegovina, during the establishment of a War Crimes Section in the country's State Prosecutor's Office. Judge Korner studied law at the Inns of Court School of Law. In 2004 she was Appointed Companion of the Order of St. Michael and St. George ("CMG") for services to international law.



**Rev Professor Thomas Glyn Watkin KC (hon)** was born in the Cwmparc in the Rhondda. He studied law at Pembroke College, Oxford, where he was Oades and Stafford Scholar (1971-1974) (BCL, MA) and was called to the Bar by the Middle Temple (1976).

From 1975 until 2004, he was successively lecturer, senior lecturer, reader and professor in the Law School at the University of Wales, Cardiff. He was appointed foundation Professor of Law at the University of Wales, Bangor in 2004. Professor Watkin was Legal Assistant to the Governing Body of the Church in Wales from 1981 until 1998 and he is an ordained priest in the Church in Wales. In 2007 he was appointed to the post of First Legislative Counsel to the Welsh Government, created following the Government of Wales Act 2006. Known mainly for his work in legal history and civil law, Professor Watkin is a council member of the Selden Society, Secretary and Treasurer of the Welsh Legal History Society and a member of the editorial board of the Journal of Legal History. His seminal work "The Legal History of Wales" was first published in 2007 (second edition 2012). Professor Watkin was elected to the Academy of Private Lawyers of Milan and Pavia in 2002 and in 2013 he was elected a Fellow of the Learned Society of Wales.



**Lady Sue Carr DBE** became the first Lady Chief Justice of England and Wales on 1 October 2023.

Dame Sue Carr was called to the Bar by the Inner Temple in 1987. She undertook pupillage at Brick Court Chambers and 2 Crown Office Row, now Four New Square, where she became a tenant in 1988. She was called to the New South Wales Bar in 1989, following a Pegasus scholarship in Sydney. She developed a broad commercial practice, taking silk at the age of 38 in 2003. She also became a trained arbitrator and mediator. She became Chair of the Professional Negligence Bar Association in 2007, Chair of the Bar Standards Board Conduct Committee in 2008, and was appointed as the Complaints Commissioner to the International Criminal Court in the Hague in 2011. Her judicial career began in 2009 in crime, when she became a Recorder. She was appointed to the High Court, Queen's Bench Division in 2013, and became a nominated Judge of the Commercial Court and the Technology and Construction Court in 2014. In the same year she became a member of the Investigatory Powers Tribunal until 2016. She became a Presider of the Midland Circuit in 2016 until 2020, when she was appointed as a Lady Justice of Appeal. In the same year she was also appointed as the senior Judicial Commissioner and Vice Chair of the Judicial Appointments Commission, a position she held until January 2023. Dame Sue Carr was educated at Wycombe Abbey School and read law at Trinity College Cambridge.



**Rt Hon Dame Siobhan Keegan DBE** is the Lady Chief Justice of Northern Ireland.

Dame Siobhan was appointed as a High Court Judge in October 2015, one of the first two women to be appointed to the High Court along with Madam Justice McBride. Prior to becoming a judge, Lady Chief Justice Keegan, a Queen's University alumna, graduating with LLB Honours in 1993, was called to the Bar of Northern Ireland in 1994 and became a Queen's Counsel in 2006. During her career at the Bar Lady Chief Justice Keegan served as Vice Chair of the Bar of Northern Ireland, Chair of the Young Bar, Chair of the Family Bar Association and Chair of the Bar Charity Committee. She was also a long standing member of the Professional Conduct Committee of the Bar. Lady Chief Justice Keegan was the Judge in Residence at the Queen's University of Belfast from November 2015 until August 2021. She was a member of the Judicial Studies Board (JSB) from April 2016 until August 2021. She was also the Northern Ireland representative on the Franco-British-Irish Judicial Cooperation Committee. Lady Chief Justice Keegan was appointed as a Coroner in July 2017 and was the Presiding Coroner from September 2017 until September 2020. She was assigned to hear Judicial Reviews from 2017 until 2020 and was the Senior Family Judge in the High Court of Northern Ireland from April 2020 until her appointment as Lady Chief Justice in 2021. During her tenure in the Family Division, she was also the designated Northern Ireland judicial member of the International Hague Network of Judges.





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## Dinner Speaker Biography

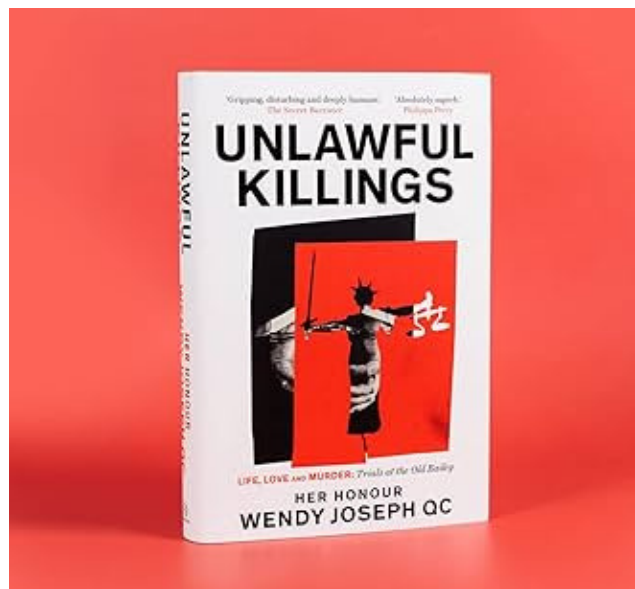


**Her Honour Wendy Joseph KC** was a judge at the Old Bailey, sitting on criminal cases, trying mainly allegations of murder and other homicide. Born and educated in Cardiff She read English and Law at Cambridge and was called to the Bar by Gray's Inn in 1975, becoming a QC in 1998 and a full-time judge from 2007 to 2022.

When she moved to the Old Bailey in 2012 she was the only woman amongst sixteen judges, and only the third woman ever to hold a permanent position there. She was also a Diversity and Community Relations Judge, working to promote understanding between the judiciary and many different sectors of our community, particularly those from less privileged and minority groups. She mentors young people, from a variety of backgrounds, who hope for a career in law and has a special interest in helping women.

Wendy Joseph is the author of the best-selling "Unlawful Killings: Life, Love and Murder: Trials at the Old Bailey", published shortly after her retirement from the Bench.

**Copies of HH Wendy Joseph KC's book 'Unlawful Killings' will be available to purchase\* on the Griffin Books stand.**



\*(HH Wendy Joseph KC has kindly agreed to sign purchased copies. Please liaise with Griffin Books.)

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# Help us support aspiring lawyers

Your donation can ensure the Lord Edmund-Davies Legal Education Trust – Legal Wales Access to Law Summer Scheme continues to widen opportunities.

Every July, Legal Wales runs a week's residential Summer Scheme in Cardiff for 10-12 aspiring young lawyers who have no connections in the legal profession to help them understand, or enter, our world.

The aim is to encourage and help young people from Wales to follow Lord Edmund-Davies's motto: "Anela'n Uchel" – "Aim High" – a motto drawn directly from his own life as a state-school boy from the Cynon Valley, who rose to sit on the Judicial Committee of the House of Lords.

The Scheme was originally launched in London, in 2014, by the Lord Edmund Davies Legal Education Trust (LEDLET), whose President is Lord Lloyd-Jones, Justice of the Supreme Court. LEDLET and Legal Wales now run parallel programmes in London and Cardiff, effectively doubling the number of students who can be supported.

## The Scheme is open to Year 12 pupils who:

- live in Wales or have strong links with Wales
- will be under 18, and
- have no family links with the legal profession.

*Candidates are selected on a range of criteria, including academic ability, proven interest in the law, and determination to succeed.*

As the aim of the Scheme is to widen opportunities, Legal Wales and LEDLET look positively at applications from pupils receiving free school meals; from economically disadvantaged areas; who have a disability; who are "looked after" (in care) or are carers for others; or who are facing or have faced other challenges in life.

For more, visit [legalwales.org](http://legalwales.org) or [ledlet.org.uk](http://ledlet.org.uk)





The selected students shadow solicitors, chartered legal executives and barristers; observe a court hearing and have the opportunity to talk to a judge; try their hands at advocacy in a moot before a real-life judge; and attend talks and workshops on studying law, legal careers and legal skills.

Crucially, given its aim, the Scheme is completely free of charge to the students, including travel and accommodation. Grants are also potentially available to help with additional costs such as suitable clothing, or costs of replacement care.

An important element of the Scheme is to keep in touch with past students and thus to build up a network of contacts for them within the profession – a network based entirely on merit, rather than on wealth or family connections.

*In pursuit of this aim, LEDLET and Legal Wales hold a biennial Alumni Conference, the next one being in Cardiff in 2024.*

*Any profits made from the Legal Wales Annual Conference will go to support next year's Cardiff Scheme and Alumni Conference, but these profits alone are not enough to maintain the Scheme into the future.*

We are most grateful for the grants received in 2023 from the Siôn Mullane Foundation and the Thomas Howell Education Fund for North Wales, which enabled us to run the Scheme again in 2023 and to extend it to 12 students. But if we are to continue, **Legal Wales needs to raise an additional sum, in the order of £1000 - £2000 per year.**

**If you or your organisation would like to support the Scheme with a donation, please contact the Cardiff Programme Co-ordinator, Elisabeth Velina Jones via: [legalwales@gmail.com](mailto:legalwales@gmail.com). Elisabeth would also be interested in hearing from you if you would like to offer a work-shadowing placement in 2024.**

In 2023, work placements were generously provided by **Acuity Law, Apex Chambers, Blake Morgan LLP, Capital Law, Civitas Chambers, Geldards LLP, Lewis Silkin LLP, Martyn Prowel Gartside, Senedd Cymru Legal Service, Watkins & Gunn, 9 Park Place and 30 Park Place.**

Legal Wales is most grateful to **BBC Cymru Wales** for hosting a tour and talk about the legal aspects of BBC work, and to **Cardiff University** and the **University of South Wales** for providing free venues and refreshments. **Eversheds Sutherland** kindly sponsored a dinner for the students.



## Testimonials

*“Since [the Scheme] I have gone on to achieve a law degree from a top UK university and secure a Training Contract at one of the world’s largest commercial law firms. The experiences afforded to me through the Summer Scheme have been invaluable and I will feel forever indebted for the ‘foot in the door’ that LEDLET offered me. I would encourage anyone who is serious about pursuing a career in law to apply.”*

**- James Tobin, LEDLET London 2014 cohort; Port Talbot**

*“The experiences of the LEDLET Scheme have proven invaluable to the progress I have made in legal life to date. The sheer variety of areas covered on the scheme gave me plenty to write about in my personal statement for university. It really does help you stand out whilst giving you plenty to talk about. I am sure it helped me in my successful application to Oxford University and in receiving offers for Training Contracts. Not to mention, it’s great fun.”*

**- Dylan Jones, LEDLET London 2015 cohort**

*LEDLET-Legal Wales residential summer scheme student cohort 2023.*



**Can you help us maintain these outstanding opportunities delivered by the LEDLET scheme?**

Email us to make a donation: [legalwales@gmail.com](mailto:legalwales@gmail.com)





*Jeff Pearson, CEO of Geldards LLP, answers students' questions.*

*“The scheme was a great confidence booster for me to apply to study law at university and hopefully one day start my legal career. I was (and still am) truly inspired by all the professionals I met whilst on the scheme and am forever grateful for their continued advice and support. This is an opportunity not to be missed and I thoroughly encourage all young aspiring lawyers to apply. It’s a once in a lifetime opportunity!”*

– **Nansi Eccott, LEDLET London 2019 cohort** (since graduated with First Class Honours in Law and Welsh from Cardiff University and has secured a training contract with Geldards LLP)

*“I feel I have gained experience which will be invaluable for me going forward with university and my career that I never would have got access to without this scheme. Everybody I met was so supportive and lovely and I completely look forward to keeping in touch and being a part of the LEDLET-Legal Wales community.”*

– **SR, South Wales, Legal Wales Cardiff 2022 cohort** (soon to be studying Law at Bristol University).

**For further information, visit:**

[legalwales.org.uk](http://legalwales.org.uk), [ledlet.org.uk](http://ledlet.org.uk),

[siõnmullanefoundation.com](http://siõnmullanefoundation.com) or [thedrapers.co.uk](http://thedrapers.co.uk)





# New Frontiers: Open Source Evidence

👤 Eliot Higgins (Bellingcat)

👤 Prof Yvonne McDermott Rees (TRUE Project)

👤 Her Excellency Judge Korner CMG KC

📅 Saturday 25 November

📍 In Person at The Inner Temple and Online

🌐 [innertemple.org.uk/newfrontiers](http://innertemple.org.uk/newfrontiers)

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Adferol Cymru

Wales Restorative  
Approaches Partnership

## Are you interested in restorative justice but not sure how it fits with your work?

Are you a law firm or organisation committed to  
improving workplace culture but need support with  
implementation?



**Wales Restorative Approaches Partnership (W.R.A.P.) is a best practice hub for restorative approaches and practices in Wales. We offer a range of services including training, consultancy, and mediation services (restorative justice).**



## What are restorative approaches?

Did you know there's more to restorative approaches than restorative justice?

Restorative approaches are the day-to-day skills involved in pre-empting conflict and harm. They are about our relationships with other people and the way we build, maintain, and repair them when things go wrong. Restorative approaches are focused on prevention. Using restorative approaches reduces conflict, increases emotional intelligence, improves communication, and leads to better outcomes for everyone where there has been conflict, as well as when things are going well.

Restorative approaches can have a profound impact on improving workplace culture, not only improving staff retention but also attracting high-quality talent. It contributes to more cohesive teams and offers a supportive and inclusive culture, providing opportunities for growth and development and benefiting your organisation's success and reputation.

***“We now have a collective vision of what kind of workplace we want to be. Thank you for helping us achieve this.”***

- Rhondda Cynon Taf County Borough Council

## Are you a law firm or organisation who wants to:

- Increase staff well-being and retention?
- Embed effective communication and sustainable solutions in your business?
- Have a more productive and engaged team?
- Deal with conflict effectively?

## Restorative approaches have the potential to transform your working practice through:

- Solution-focused problem solving and building resilience
- Developing your ability to resolve conflict
- Addressing challenging behaviour with proven mechanisms
- Effective team and partnership working
- Workplace ethos, habits, and values

## Businesses working with us have seen:

- Improved relationships
- Reduced staff sickness/absence
- Improved outcomes/output
- Better customer service
- Better employee engagement

### Why W.R.A.P.?

We are a small, friendly, experienced team. We are the only restorative services organisation in Wales to achieve all of the Restorative Justice Council's (RJC) Restorative Quality Registrations to ensure quality and safety across all we do. Our team includes RJC quality-assured trainers and accredited practitioners trained to work from the earliest intervention to the highest-end harm and risk in prisons. We are values-driven and non-judgemental.

## What can we offer?

### Training

Our flagship training equips you to embed restorative approaches in your organisation.

### Restorative Mediation Practice

Restorative mediation brings people who are in conflict into communication, enabling everyone affected by an incident to play a part in repairing the harm and finding a positive way forward. We can offer restorative mediation in a number of ways, such as a retainer model, mediation services on request, or more sustainable options such as training your team to facilitate restorative meetings.

### Consultancy

Our services are bespoke and tailored to your needs. From team building, to line management (including supervision), Human Resources (including policies and procedures), effective staff consultation, meeting or event facilitation, values-based management, and managing change.

## What about wider policy?

While traditional punitive justice systems have been the norm, there is a growing interest in alternative approaches like restorative justice, which aim to repair harm and address the underlying causes of criminal behaviour and conflict. We are passionate about providing options for out-of-court solutions and collaborating with the legal sector in Wales to develop and promote restorative approaches more widely.



We are confident that restorative approaches can enrich your work. So, if you want to improve communication in your team, reduce conflict, and improve productivity - restorative approaches can help.

If you are interested in how our mediation services can work for you or want to know more about the future of restorative justice in the legal sector in Wales and beyond, please get in touch and speak to us about how we can work together.



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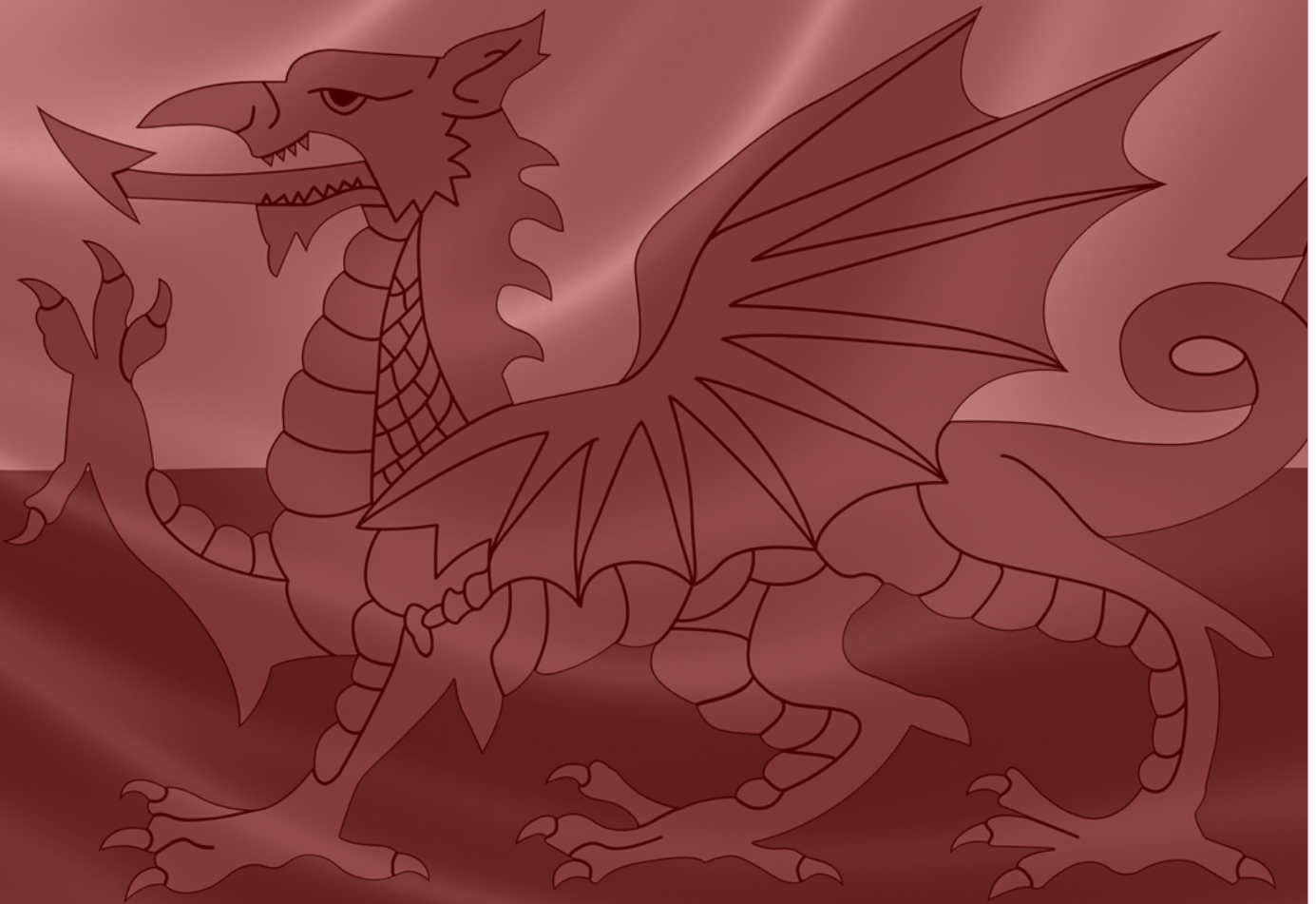
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# Speech: Counsel General for Wales

Delivered by Mick Antoniw MS at the Legal Wales  
Conference, Friday 6 October 2023 (in Cardiff)



## Introduction

Bore da pawb – a diolch yn fawr i Sefydliad Cymru'r Gyfraith am y gwahoddiad i siarad yma eto heddiw.

Diolch arbennig i Jonathan Rees KC, Llywydd y Sefydliad, am y croeso cynnes. A diolch hefyd i bawb sy'n rhan o'r gwaith o drefnu'r digwyddiad pwysig yma ym myd y gyfraith yng Nghymru bob blwyddyn.

Mae'r gynhadledd wedi cyrraedd carreg filltir bwysig, sef ugain mlynedd. Mae hi bron mor hen â datganoli, ac mae hi wedi tyfu wrth ochr datganoli. Mae ein dyled yn fawr i Huw Williams am gael y syniad ar ddechrau'r ganrif, a llwyddo i'w gyflawni.

Not many conferences are continuing to flourish after 20 years. But each year, this event seems to attract an ever stronger calibre of speaker, and be ever more relevant to the daily challenges of legal practice.

For that, we must thank everyone involved in the organisation of the conference. In particular, I want to thank the conference director Emma Waddingham, who has become the absolute glue holding the legal sector together.

The conference programme is exceptional this year and this reflects the changes developing to the legal environment in Wales; and by this I mean the development of the Welsh legal jurisdiction, the growth of the body of Welsh law and English law, developments around the training of lawyers and indeed the judiciary, the teaching of law and the regulation of the profession in Wales.

I am really encouraged by the agenda in today's conference, which seeks to understand and analyse the impact of this process of change.

It was Bob Dylan who sang, don't speak to soon for the wheel's still in spin - for the times they are a changing. This is certainly applicable to our changing Welsh legal environment and identity.

Over the past couple of years there have been what I consider to be significant changes in not only the perception of Welsh law, the Senedd, and the profession in Wales.

The presence in Wales now of the Solicitors Regulatory Authority is important, as is the growing stature of the Law Society Wales and the establishment of a National Board for Wales. And we are seeing a real commitment from the likes of the Legal Services Board and the Law Commission to their responsibilities to Wales.

The establishment as part of the interministerial arrangements within the UK of a inter ministerial group on justice is I consider also a recognition of a Welsh jurisdiction and the importance of devolved functions as an integral part of the delivery of justice in Wales.



And in respect of ongoing reform, I have previously reported on my intention to introduce a Tribunal Bill in Wales in accordance with the recommendations of the Law Commission. This will create a first tier tribunal system in Wales for the devolved Welsh Tribunals, with a first ever Welsh appellate structure, together with an enhanced role for the our new President of Welsh Tribunals Sir Gary Hickinbottom.

Amongst the issues I consistently raise with the Ministry of Justice are the condition of parts of the Welsh Courts estate, in particular the Cardiff civil justice centre, and indeed other Courts. This is a reserved area but I consider it falls withing my jurisdiction to raise this at every opportunity I have. The other , is the need for much better disaggregated justice data which is so important to understanding the justice system in Wales, outcomes and the development of justice policy.

I very much welcome the work that has been undertaken by Cardiff University Law Faculty and the Welsh Governance Centre that have attempted to fill some of these gaps, and the early indications of some of that data are quite frankly shocking, particularly regard to the level of imprisonment in Wales, now among the highest in Europe but also the serious concerns that emerge when analysing the racial and ethnic breakdown of Welsh prisoners.

If we don't have the data we cannot properly improve and reform the justice system as we should.

I therefore, strongly recommend listening to the important work of Doctor Rob Jones and Professor Richard Wyn Jones, of Cardiff University, on Wales's criminal justice outcomes. I am very grateful for the work you have been carrying out and recongise its importance to understanding the justice system in Wales.

And Public Law Wales's session on the Covid emergency legislation promises to be a revealing examination of the biggest test yet of the devolution settlement.

## **Review of the last year**

Last year, this conference took place during the premiership of Liz Truss. There are probably not many conferences that can say the same.

The office of Lord Chancellor had just changed hands, and it has done so twice more since.

I was, I'm afraid to say, quite pessimistic about the winter ahead. I warned that it was "going to be a hard winter for many people", and that "if governments do not rise to the challenges there may yet be a lot of public anger".

I also noted that the government in Westminster needed “to act fast and change the way it does business,”.

In particular, there were four ways in which I told this conference a change of course was needed. In a moment I will go through those. It would be churlish to say there has been no change at all, but I will let all of you be the judge of whether that change has been sufficient.

And when I have been through those four, I will also say something about what the Welsh Government has been doing, and something of our hopes for the future.

Because if last year I was pessimistic about the year ahead, I’m pleased to say I am feeling more optimistic in some ways. And I want to spend a bit of my allotted time sharing with you why I am feeling that way, albeit it is a cautious optimism.

Stop the attacks on lawyers

Let me start though with the four things I said the UK Government should do this year.

Those were, in order, to:

**stop the attacks on lawyers**

ditch its Bills which were a threat to the rule of law and fundamental human rights

**fund the justice system properly,** and

**engage properly with the Thomas Commission.**

**First, those attacks on lawyers.**

I remember saying last year that the easiest of all the things that the UK Government could change is its language.

Well, it is easy if you have the will.

Two months ago, the UK Government put out a press notice announcing a taskforce dedicated to ensuring prosecutions of “rogue immigration lawyers”. Within that one press release alone, the lawyers in question were also referred to as “crooked”, “corrupt”, “unscrupulous” and “immoral”.

Now there probably are lawyers to whom those adjectives are appropriate. If they breach their professional ethics, they should be disciplined. If that breach is sufficiently severe, they should be disbarred. And if they commit crimes, they should indeed be prosecuted.

But let us not pretend that this was anything less than what it was – an attack on lawyers who have dedicated themselves to applying the law and defending the rights of individuals or minorities.

I believe such attacks are contrary to the principles of the rule of law which underpin our justice system and our democracy.

No amount of weasel words, acknowledging that the majority of lawyers act with integrity, can disguise that there are people in senior ministerial office who think smearing the legal professions is a neat trick to play for political advantage.

### **Ditch its Bills**

The second thing I asked the UK Government to do was to ditch those Bills which were an affront to the Rule of Law. I am pleased to report that the UK Government seems to have listened on this one – the two Bills which were most outrageous were both abandoned.

I am speaking here of the Northern Ireland Protocol Bill, which was widely considered to be incompatible with international law, and of the Bill of Rights, which was an assault on basic rights. Neither will make the statute book, and for that we must be relieved, as well as grateful to all those who stood up against them.

But all is not rosy in the garden. Much of what was most offensive about the Bill of Rights was revived in what became the Illegal Migration Act. This was rushed through as one of, I am afraid, many Bills to which the Senedd has denied consent. As lawyers, we should have particularly profound concern about this Act because as well as being an assault on migrants, it is an assault on courts.

Baroness Chakrabarti explained this well when she summarised the Act, saying that it serves

“to expunge the age-old common law jurisdiction of His Majesty’s courts to issue interim relief in expulsion cases, the judicial practice of considering international obligations, and the Human Rights Act 1998 duty to interpret legislation compatibly with convention rights and freedoms where possible.”

The result will be conflict between our courts and the Strasbourg Court, no doubt then amplified for the political purpose of trying to drive the UK out of the European Convention on Human Rights. I hardly need say that I would consider that an unconscionable retrograde step.

And on the subject of withdrawals from European institutions - I remember also voicing concerns last year about the chaos that could entail from the Retained EU Law Bill. That Bill was not killed off – but it was at least dramatically amended, so that we did not have to review thousands of inherited European laws to an arbitrary and impossible timetable.

## **fund the justice system properly**

The third thing I asked of the UK Government, although I wasn't holding my breath, was to fund the justice system to the level it requires.

There are some few positives to report. Criminal legal aid rates did finally rise, albeit not to the extent they might have done, and not without forceful action from the professions, at some cost to themselves. The means test review has also increased the number of people who can obtain legal aid.

But we must be honest – legal aid has travelled a long way from the initial idea behind it, that it could be a safety net for everyone who needed access to the law.

We are monitoring the Civil Legal Aid Review, but it must be said that this review is coming very late in the day. It is not even clear that it will conclude before the general election. I am sure that much of what the review is doing is worthy, but we didn't need a full blown review of the system in order to conclude that basic fees should rise.

There are some particular areas of huge worry, such as the tiny and shrinking number of providers offering legally aided migration advice, and similarly with regard to housing.

For those who have travelled from beyond Wales, the Law Society's heatmaps are a particularly compelling visual of the extent of advice deserts today.

Welsh Government does its best to ensure that everyone in Wales has access to the advice they need at the time they need it. Our Single Advice Fund has now helped more than 200,000 people deal with over 920,000 social welfare problems. Those helped were supported to claim additional income of £116.6million, and had debts totalling £30.7 million written off.

But some of this at least should have been met through legal aid. Every penny we direct towards this need is a penny we are diverting away from our own responsibilities.

And it is not just legal aid which is underfunded. Every year we talk at this conference about the condition of some of our court buildings.

The last Lord Chief Justice was particularly scathing when we met last year about Cardiff Civil Justice Centre, which remains a poor advert for a capital city, but the image that stands out for me from the last year was the leaking roof at the civil court in Newport, with inverted umbrellas in the ceiling funnelling water into buckets at the entrance to hearing rooms. These are just not acceptable workplaces.

Perhaps the most worrying element of all is that the part of the justice system that does seem to be getting investment in England and Wales is prisons – but only to deal with a rapidly growing prison population. That population has grown by over 6000 in the last year alone. It now stands at a staggering 87,000.



Let us be crystal clear: we do not want more prison capacity in Wales. We do not want more people going to prison. It is not a sign of success in bringing criminals to justice: it is a sign of failure to address people's problems before they are out of control.

### **engage properly with the Thomas Commission.**

I have covered now three of the four things I asked for this year. The fourth was for us to take forward the recommendations of the Commission on Justice in Wales, chaired by Lord Thomas.

That commission was of course the largest ever examination of the justice system in Wales. A report which drew on more than 200 written submissions and heard from more than 200 individuals and organisations in their areas of expertise.

I will come onto the devolution of justice in the final section of my speech. But there were many other things within the Commission's report where I did have some hope we might make some progress with the current UK Government.

I was pleased to see planning approval eventually given this summer to the pilot Residential Centre for women who face a custodial sentence. We also still hope to make progress with the Ministry of Justice on the better provision of disaggregated justice data for Wales.

And we will be bidding for funds to extend the private law pathfinder pilot in the Family Courts from North Wales to the more densely populated areas near here.

But there is so much more within the Commission's report that could have been done – such as the establishment of a pilot Problem Solving Criminal Court in Wales, or raising the age of criminal responsibility, or ending the current situation where Wales alone of the UK's nations is not effectively guaranteed representation on the Supreme Court.

### **Reasons for optimism: current activity in Wales**

That, then, is my review of the action in Westminster, which remains highly influential on the day to day experiences of those of us working in or around the justice system.

I said at the start of my speech that I was optimistic about the future. I have not so far given much grounds for that optimism. And by the way, I do not for a second downplay the scale of the economic challenges facing this country. The cost of living remains far too high.

Those of you working in the courts will see the consequences of that every day.

But my reasons for optimism lie in the work being done by people here in Wales, delivering positive changes for people despite the parlous state of our finances. In fact,

some of that change is directly inspired by those financial challenges, which has seen communities across the land coming together to address hardship and struggle.

The legal community is no different. I am heartened by much of what I have seen.

I remember last year attending the launch event in Rhyl for what it is hoped will one day be the North Wales Law Centre.

It is excellent to know that this is now operational and providing advice and support to people across North Wales, albeit that it does not yet have formal accreditation as a Law Centre.

The establishment of a Pro Bono Committee for Wales was another important milestone.

And earlier this year I was delighted that we were able to co-host a conference on the support that the Welsh legal sector and wider justice system could offer to Ukraine – whether in resettling refugees, or working with Ukrainian authorities towards successful prosecutions for war crimes and other offences.

My mission, and that of my colleagues in government, is to support these initiatives from the sector and the justice workforce as best we can – and to nurture an environment where more such initiatives can come forward.

The Dispute Resolution Centre for Wales is an initiative I am very interested in. It was borne out of conversations within the new Law Council for Wales, and it raises the prospect of helping us see more problems solved quickly, cheaply and possibly even amicably.

And we are pleased to have been able to support the Solicitors Regulation Authority in further work about the use of mediation, and how to get greater use while ensuring appropriate safeguards are in place to protect the interests of justice.

While I am on the subject of the SRA, it was a pleasure too to attend the formal opening of the SRA's Cardiff office.

All of these are examples of building capability here in Wales. So too are the reforms we are making to the devolved tribunals, building on the work of the Law Commission, who as ever are represented here today.

I know most of you here will have read our White Paper, published back in June, setting out our plans for a First-Tier Tribunal, and a Welsh Appeals Tribunal as well – Wales's first appellate jurisdiction.

All of which will have the structural independence not provided by the current arrangements. Guaranteed, indeed, by statute.

The consultation on those proposals closed last week, and we are now considering those responses and turning them into legislation.

And we continue to take forward our work to improve the accessibility of Welsh law. Later this month I will be laying a report before the Senedd setting out in fuller detail the progress we have made, but let me just share a few highlights.

I am very proud that Wales's first consolidation and codification of the law has been achieved in the Historic Environment (Wales) Act 2023. This Act will mean owners of scheduled monuments and listed buildings will be able to find the legislation they need all in one place, set out logically in understandable language and published bilingually. In turn, this will lead to better protection and management of the Welsh historic environment.

Our work on consolidation hasn't stopped there - we are well on the way to producing nearly 450 pages of consolidated planning law, and we intend to introduce the Planning (Wales) Bill into the Senedd next year.

We are also now responsible for annotating Welsh law on the legislation.gov.uk platform. This involves applying amendments to Welsh legislation so that users can see it in an up to date form, in both languages. We have approximately 43,000 effects to apply so this is a long-term project, but I am pleased to say that users can now see all of the Acts and Measures in an up to date form, and work is well underway on the most frequently viewed statutory instruments.

These projects, together with our work on the Cyfraith Cymru/Law Wales website, developing Welsh as a language of the law, codification and classification of legislation, are all part of our work to ensure the law is available and understandable to more people. Our programme is helping people understand their legal rights and obligations, a vital part of a healthy democracy.

### **Reasons for optimism: constitutional change**

All of these things I have mentioned, from tribunals reform to pro bono infrastructure, are examples of building the capability of Wales to be a freestanding jurisdiction. Let me, before concluding, quickly give a few more examples, to serve as more reasons for optimism.

Senedd Reform is an important milestone for Welsh devolution. The capacity of the Senedd is currently a major limitation on the capability of Welsh democracy. It limits how much legislation we can pass, and how much scrutiny can be given both to the Welsh public sector, and to UK legislation within devolved competence.

Additional members opens up the possibility of more committees, including potentially a Justice Committee as recommended by the Thomas Commission. It should allow the development of greater expertise by members in individual areas – and of course there will be a greater spread of expertise purely by dint of having more members.

The democratic legitimacy of the institution will also be further strengthened, both by the adoption of a more purely proportionate voting system, and by our work to develop automatic voter registration. It is sobering that in a country the size of Wales there are 403,000 eligible voters who are not registered. That is something we can put right.

We have a new system of intergovernmental relations, creating regular dialogue between the UK's four national governments, from head of government level down.

And we hope and believe more constitutional change to strengthen the functioning of the UK is around the corner.

Gordon Brown's Commission, conducted for the UK Labour Party, gives ideas of the devolutionary direction in which a Labour Government might move. It includes proposals for decentralisation of economic decision making, and for reform to UK-wide institutions like the House of Lords.

Closer to home, the independent Commission on the Constitutional Future of Wales, chaired by Laura McAllister and Rowan Williams, is due to report in the coming months. All main parties have nominated representatives to that exercise, so its findings should be considered with the utmost seriousness by any stripe of UK Government.

I believe these two commissions will herald the beginning of the process of devolution of justice.

Although I cannot pre-judge what our Welsh commission might say, I know they have studied Lord Thomas's report carefully, and in their interim report they noted that they had not heard any credible counterarguments against devolution.

Gordon Brown's Commission, meanwhile, said that there was no reason of principle why devolution in Wales should not go as far as in Scotland. He recommended the process start with the devolution of youth justice and probation.

That is an outcome for which we are now actively preparing. Over the course of this year we have worked with academic experts and former practitioners, amongst others, to formulate clear plans for what exact functions we might take on and how, and how we might put those new functions to use.

Subject to the views of the Constitutional Commission, we would expect to consult on some of those plans in the new year. And we will continue to make the case for further devolution of justice functions beyond youth justice and probation – in particular, policing.



I believe devolution offers a once in a generation opportunity, to put justice at the heart of government where it belongs. To align the operation of the justice system with the ethos of our other devolved public services – person centred, trauma informed, anti-racist. To root out misogyny and other forms of hatred, and pursue our goal of social justice. To follow the evidence on what reduces crime, instead of punitive tabloid agendas.

But we will not rush the process of devolution. As we said in our publication *Delivering Justice for Wales*, our approach to running the justice system will be co-designed with those who work in the system, as well as those affected by it. Ultimately, to make a success of the transfer of responsibilities, it will need to be phased, as we continue to build up our homegrown capability over time.

And let me finish with the point I always make to a legal audience – that nothing we do should throw up any barriers to legal professionals working freely across the border between England and Wales.

Yes, we believe that pretending there is still a single jurisdiction of England and Wales is silly. The law here is different, whether you recognise that formally or not. We believe it should indeed be recognised formally.

But formal recognition of a Welsh jurisdiction, and indeed an English one, does not mean you need to have two separate qualifications to practice in each. It does not mean you need two regulators, or two practicing certificates, or any significant practical changes to everyday working lives.

There are a few additional reflections I would like to make:

It is a particular honour for us all to have Her Honour Judge Korner here, our British judge at the International Criminal Court. I wish there was no need to have such a court. It is particularly bleak to think that its workload is growing.

Support for the ICC, and for domestic prosecutors in Ukraine, is as important as it has ever been. As the conflict slips from the headlines, we are in danger of becoming accustomed to its brutality, almost immune to the horror.

For myself, it is never far from my mind. I continue to do whatever I can to support the people of Ukraine in both a personal and a ministerial capacity, including pressing the UK Government at every opportunity. I am glad to see this conference recognising the continuing importance that we all do our part.

Can I also pay tribute to a few other judicial office holders of note.

We are saying a fond farewell at this conference to Mr Justice Francis, who will be telling us about his seven years as Family Liaison Judge for Wales. I am sorry we weren't able to secure a fit for purpose civil justice centre for Cardiff in that time.

Sir Nicholas Green, Chair of the Law Commission and Nicholas Paines KC the Commissioner for Public Law and the Law in Wales have both done so much to support law reform in Wales and will be stepping down from their posts. The Law Commission is a regular contributor at this conference, and we greatly appreciate their work.

We also lost the services in the course of the year of our first ever President of Welsh Tribunals, Sir Wyn Williams. I hope Sir Wyn will continue to be a staple of this conference in years to come.

And just last week, of course we saw the resignation of a longstanding friend of this conference, in the outgoing Lord Chief Justice, Lord Burnett. I would like to thank him for his significant contribution and support for the justice system and legal profession in Wales.

I am delighted to see the new office holders in attendance, and would like to give my personal thanks to Sir Gary Hickinbottom for the seamless way in which he has taken over the presidency as we move towards tribunals reform.

Most of all, it is a great pleasure to welcome to Cardiff the first female holder of the great office of Lady Chief Justice of England and Wales Sue Carr. That milestone is long overdue. I look forward to our future meetings and discussions.

## **Conclusion**

So, for me at least, while these are tough times for many, there is also much to be optimistic about.

I hope those of you here share at least a degree of my optimism.

But if you are not yet convinced, I am sure today's other speakers will give you many more reasons, as they set out more of the fine work that is going on across Wales and beyond.

Diolch unwaith eto am y gwahoddiad, a gobeithio byddwch i gyd yn mwynhau ein cynhadledd heddiw. Thank you once again for the invitation, and I hope you all enjoy the rest of the conference.

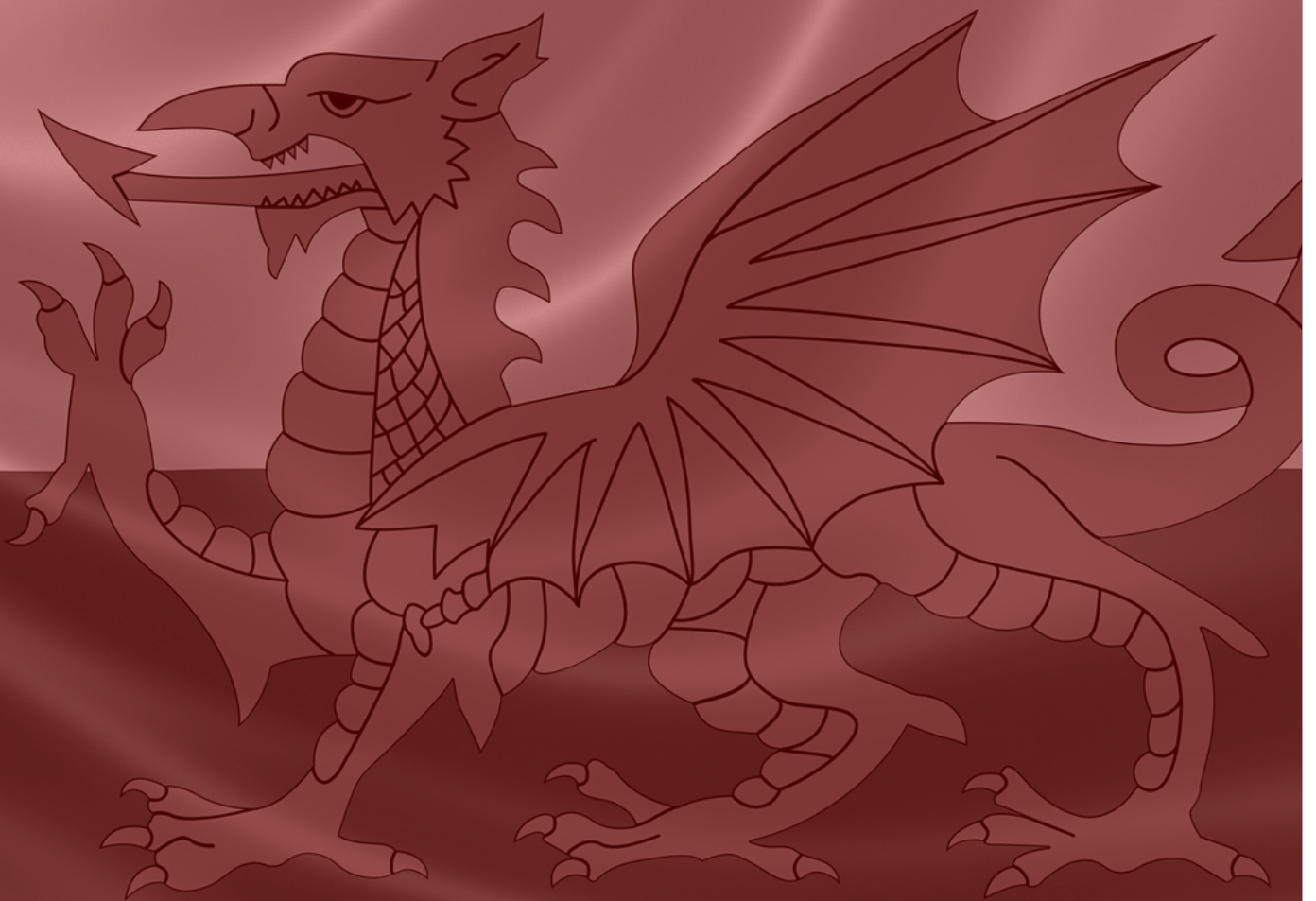
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# Speech: Lady Carr DBE

Delivered by The Lady Chief Justice of England & Wales at the Legal Wales Conference, Friday 6 October 2023 (in Cardiff)



**[Click here](#)** to view the speech in full.



## **Dispute Resolution Centre Wales (“DRC Wales”)**

Mediation, Evaluation, Adjudication and Arbitration

### **Background and need for DRC Wales.**

1. The legal sector in Wales has demonstrated particular skill and capacity to work effectively on a collaborative, cross-agency basis. Notably, collaborative work in Wales in response to the challenges of Covid-19 for the justice system has been repeatedly commended, including by UK and Welsh Governments, and by the judiciary.
2. The Welsh administrative justice sector is also denser and comparatively better networked than is the case for other parts of the UK. A distinctly collaborative Welsh modus can be developed across civil and administrative justice.
3. Alternative Dispute Resolution (ADR) was recognised by the influential Commission on Justice in Wales<sup>1</sup> (“The Commission”) as providing quick and cost-effective options for resolving disputes in both private and public law. The Commission found capacity and expertise across Wales to provide ADR services.
4. The Commission made three core recommendations for civil and administrative justice in Wales: co-ordination; rationalisation, and potential solutions for the longer-term. The Welsh Government has signalled its plans to engage with stakeholders to take forward recommendations of The Commission to co-ordinate and rationalise civil and administrative dispute resolution in Wales.

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<sup>1</sup> <https://www.gov.wales/commission-justice-wales>





5. At this time, a distinctively Welsh approach to dispute resolution should be fostered, promoted, co-ordinated, and monitored, to capitalise on good practice and encourage future developments.
6. Dispute resolution is also an important area of focus for current UK Government policy, with a recent consultation having been conducted on all forms of dispute resolution short of litigation in civil, family, and administrative jurisdictions<sup>2</sup>. The findings will inform work on how to utilise dispute resolution processes to deliver swifter, more cost-effective and more consensual access to justice. This present document takes into account the summary of evidence received by the consultation.
7. Current timing presents the dispute resolution sector in Wales with an opportunity to draw on its strengths, to place itself at the forefront of these noted developments, to be a market leader in harnessing new technologies and establishing best practices, whilst also responding to The Commission's recommendations (endorsed by Welsh Government) for a uniquely Welsh approach to the promotion, co-ordination, and oversight of dispute resolution.

### **DRC Wales**

8. Dispute Resolution Centre Wales Canolfan Datrys Anghydfodau Cymru Ltd ("DRC Wales") has been incorporated as a company limited by guarantee. This is the vehicle through which the DRC Wales Board will carry out its remit. Whilst an independent entity, DRC Wales draws its inspiration and support from the Law Council of Wales<sup>3</sup>, which has been instrumental in convening a group of leading dispute resolution practitioners with a particular interest in promoting dispute resolution in the Welsh context. The DRC Wales Board is interdisciplinary, comprising dispute resolution professionals drawn from the

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<sup>2</sup> <https://www.gov.uk/government/consultations/dispute-resolution-in-england-and-wales-call-for-evidence>

<sup>3</sup> <https://www.lawcouncil.wales/>



law, academia, government, public, third, and legal sectors, and Welsh judiciary.

9. DRC Wales conducts its activities under three core themes: promotion, education, and research; co-ordination; and supervision/oversight.

#### Promotion, education, and research

10. DRC Wales aims to promote awareness, education, and research with respect to dispute resolution in Wales, including through:
  - a. Offering advice to Welsh Universities on a review of their syllabi and approaches to how dispute resolution is taught and emphasised;
  - b. Encouraging students, trainees and pupils to embrace dispute resolution with competitions (mock mediations, essay writing etc), which are celebrated and rewarded within the professions, e.g., with internship opportunities in the field of dispute resolution;
  - c. Providing courses on different aspects of dispute resolution to be provided as part of professional CPD throughout Welsh professions;
  - d. Encouraging the Welsh judiciary to actively embrace and commit to promotion of non-court dispute resolution;
  - e. Encouraging the development of a 'whole careers approach' to dispute resolution learning;
  - f. Providing a focal point for dispute resolution research conducted in or in relation to Wales;
  - g. Fostering opportunities to market a "Welsh model" of dispute resolution and, by implication, of Wales within other parts of the UK and abroad; and



- h. Considering development of a professional badge of honour to award to those who dedicate significant endeavour to dispute resolution.

### Co-ordination

11. DRC Wales aims to improve the co-ordination of dispute resolution in Wales, including through:
  - a. Establishing an accredited panel of mediators, evaluators, adjudicators and arbitrators, operating in Wales, and in both the English & Welsh languages;
  - b. Bringing together dispute resolution institutes (civil, workplace, community and family) within all professions, to encourage better common working, accreditation, kite marking and celebration of dispute resolution excellence within all sectors in Wales;
  - c. Exploring and developing all forms of dispute resolution (including forms conducted via online platforms or with the assistance of other technology) in Wales and how to become a model of good practice beyond Wales;
  - d. Considering development, support and finance of formal systems of dispute resolution triage in the DNA of the developing Welsh tribunals system;
  - e. Engaging with other key bodies in the promotion, co-ordination and oversight of dispute resolution in Wales.; and
  - f. In the longer term, acting as an appointing body where the identity of dispute resolution professionals cannot be agreed.



## Supervision/Oversight

12. DRC Wales aims to supervise the principled use and development of dispute resolution in Wales, and oversee the broader landscape, including through:

- a. Establishing a Wales Dispute Resolution Pledge (“WDRP”) promoting and encouraging diversity and the awareness and use of modern, flexible, creative and constructive approaches to dispute resolution, and offering an opportunity to demonstrate, to individuals, businesses and other stakeholders, approaches to how disputes can be managed, conducted and resolved without the need for recourse to the court system;
- b. Encouraging Welsh Government, other public bodies and significant commercial entities operating in Wales, to meaningfully commit to WDRP principles;
- c. Conducting promotion, education and co-ordination activities in a manner that encourages and facilitates a principled approach to dispute resolution and relevant information sharing across relevant sectors in Wales; and
- d. Monitoring the development of the overall dispute resolution landscape as pertains to Wales and providing expert evidence-based advice and commentary, including through submissions to relevant consultation exercises.





**Wales Dispute Resolution Pledge**

13. The Wales Dispute Resolution Pledge (“WDRP”) is aimed at promoting and encouraging diversity and the awareness and use of modern, flexible, creative, cost-effective and constructive approaches to dispute resolution in Wales.
14. WDRP offers an opportunity to demonstrate, to individuals, businesses, and other stakeholders, approaches as to how disputes can be appropriately managed, conducted, and resolved in a manner which lessens the burden on the court system.
15. WDRP enables Welsh Government, Devolved Welsh Authorities, other public bodies and significant commercial entities operating in Wales, to demonstrate their commitment to resolving disputes efficiently, effectively, fairly, and to making timely use of the most appropriate dispute resolution mechanisms, expressly including both a wide range of alternative non-litigious options or negotiated processes and digital/online mechanisms.
16. By adopting WDRP, public bodies are communicating to their service users, contractual partners, employees, and to the general public, their commitment to diversity as well as to avoiding costly litigation wherever possible, and that they are serious about adopting the highest contemporary standards of timely, effective and integrated dispute resolution.
17. Entities adopting the WDRP will be named on the DRC Wales website, acknowledging their progressive stance to dispute resolution.
18. The full WDRP is set out in Schedule One below.



## **Schedule One – The Wales Dispute Resolution Pledge**

The Wales Dispute Resolution Pledge (“WDRP”) is aimed at promoting and encouraging diversity and the awareness and use of modern, flexible, creative, cost-effective and constructive approaches to dispute resolution. WDRP offers an opportunity to demonstrate, to individuals, businesses, and other stakeholders, approaches to how disputes can be appropriately managed, conducted, and resolved in a manner which lessens the burden on the court system.

WDRP enables Welsh Government, Devolved Welsh Authorities, other public bodies and significant commercial entities operating in Wales, to demonstrate their commitment to diversity and to resolving disputes efficiently, effectively, fairly, and to making timely use of the most appropriate dispute resolution mechanisms, expressly including both a wide range of alternative non-litigious options or negotiated processes and digital/online mechanisms.

By adopting WDRP, public bodies are communicating to their service users, contractual partners, employees, and to the general public, their commitment to diversity and to avoiding costly litigation wherever possible, and that they are serious about adopting the highest contemporary standards of timely, effective and integrated dispute resolution.

Public bodies and significant commercial entities operating in Wales commit to:

- being proactive in the development of greater diversity within the approach to dispute resolution.
- being proactive in the avoidance and management of potential disputes, and in working to prevent disputes arising or escalating;



- clearly explaining approaches to be taken by public bodies and significant commercial entities operating in Wales to dispute resolution, including all informal and formal mechanisms that may be pursued, in complaints and internal review procedure documents and other dispute handling procedure documents, and ensuring that such documents are published accessibly online, and use a level of language suitable to the intended readership;
- ensuring that relevant public documents referencing dispute resolution also provide clear information about how individuals can access advice (including legal advice), support, and advocacy, as concerns both public and private law matters;
- ensuring that public bodies approach dispute avoidance, the management of potential disputes, and dispute resolution, with respect for human rights, equality, restorative justice principles, and in accordance with the sustainable development principle and Five Ways of Working under the Well-being of Future Generations (Wales) Act 2015 (namely: long-term, prevention, integration, collaboration and involvement) and that significant commercial entities also approach dispute avoidance and resolution within the spirit of respect for human rights, equality, restorative justice and well-being principles;
- ensuring that approaches to dispute avoidance, the management of potential disputes, and dispute resolution, ensure equal treatment of all persons regardless of language preference between the English and Welsh languages;
- engaging in processes of appropriate dispute resolution in respect of any dispute that has not been resolved through the organisation's normal complaints and/or internal review procedures, and that litigation will only be pursued as a last resort where it is considered essential as a matter of legal principle, public interest, or the necessary vindication of legal rights;



- adopting appropriate dispute resolution clauses in contracts with other parties;
- using prompt, cost effective, accessible, and efficient processes for completing negotiations and resolving disputes;
- choosing processes appropriate in style, specialisation, potential outcomes, and proportionate in costs to the issues that need to be resolved;
- making informed choices by considering the benefits to the public body or significant commercial entity, to whomever they are in dispute with, and other interested parties, of all available processes in achieving resolution;
- making effective use of multiple channels of dispute resolution, including digital/online, telephone and in-person, where relevant to the issues and persons involved;
- ensuring that dispute resolution processes adopted accommodate the interests of unrepresented parties and that such parties are not disadvantaged;
- ensuring that where litigation or other adversarial processes have been commenced, that other forms of dispute resolution continue to be considered at appropriate stages during the progress of proceedings;
- ensuring that all approaches to dispute avoidance, the management of potential disputes, and dispute resolution, are grounded in continuous improvement and learning, including from the outcomes of dispute resolution processes;
- ensuring that employees and officials are informed and educated with respect to dispute resolution procedures, mechanisms, and techniques, and with respect to the WDRP, and that continuing professional development is made available to relevant employees and officials.





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SAVE THE DATE

# Legal Wales Conference 2024

Friday 11th October 2024

Venue: North Wales (TBC)

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