

Cynulliad Cenedlaethol Cymru
Y Pwyllgor Materion Cyfansoddiadol
a Deddfwriaethol
Bil deddfwriaeth (Cymru)

National Assembly for Wales
Constitutional and Legislative Affairs
Committee
Legislation (Wales) Bill

CLA(5) LW11
Ymateb gan Y Comisiwn
Penodiadau Barnwrol

Evidence from Judicial
Appointments Commission

**The National Assembly for Wales' Constitutional and Legislative Affairs
Committee consultation on the general principles of the Legislation (Wales) Bill
- Judicial Appointments Commission (JAC) response**

I write on behalf of the Judicial Appointments Commission Board (JAC). The JAC is an independent body established in April 2006 to select candidates for judicial office in courts and tribunals in England and Wales and for some tribunals whose jurisdiction extends across the UK. We welcome the opportunity to respond to your consultation on the Legislation (Wales) Bill.

We do not feel that it is appropriate for us to respond to the consultation in detail, but we do wish to comment in general terms.

In JAC selection exercises for positions in Wales, we seek assurance that successful candidates can demonstrate an awareness of the distinctiveness of administration of justice in Wales, and either have an understanding of the particular requirements of Wales or have the ability to acquire it.

As a result, we are particularly aware of issues in relation to the divergence of the law pertaining in Wales from that applying in England (as noted in the Law Commission Report *Form and Accessibility of the Law Applicable in Wales*). An accessible source describing the law applicable in Wales is important for potential users of the courts and tribunals, those representing them and, indeed, for the judiciary. Currently the law in some areas is found in a wide range of National Assembly legislation, Westminster legislation and statutory instruments.

We therefore support any attempt to improve the accessibility of Welsh law and to organise it effectively. It seems reasonable to require this to be a statutory responsibility on the Welsh Government.

We also believe that the proposed measures would facilitate a more constructive assessment of the knowledge of Welsh law of candidates for judicial positions in Wales and be helpful to them in their preparation for selection exercises. It would also support those in judicial roles in Wales and ultimately benefit the quality of justice in Wales.