



Annex D: Briefing for Expert Panel on the Justice System

Event details

Location: Conference Room, School of Law, Richard Price Building, Swansea University, Singleton Park, Swansea, SA2 8PP

Time: 14:00 – 16:30. Lunch will be provided before the event at 13:30.

Academic Experts attending: Professor Timothy Jones (our host and Professor of Public Law at Swansea Law School), Andrew Clemes (barrister and lecturer at Swansea Law School), Professor Peter Raynor (Professor of Criminology and Criminal Justice at Swansea Law School), Professor Mike McGuire (Emeritus Professor of Criminology and Criminal Justice at Cardiff University) .

Justice expert attending: Winston Roddick (PCC, North Wales).

N.B. Biographies of those attending can be found at the end of this document.

Justice system background information and questions

Background

Devolving the justice system involves a complex set of issues:

- defining the system. Just criminal justice or civil, family and commercial as well?
- identifying the key elements of the system: courts, prisons, youth justice, probation, Crown Prosecution Service, Sentencing Council, legal aid
- distinguishing between devolving the administration of the system, and devolving law making powers
- identifying other options for improving the system in Wales
- identifying linkages within the system, including with policing
- assessing whether the benefits of devolution outweigh the costs; and timing issues; and whether there are half way house solutions
- identifying the relationship with a separate jurisdiction.

The evidence we have received suggests a wide range of views: no change; decentralisation within a non devolved system; devolution of some parts; half way house solutions like Canada; moving to the Scotland and Northern Ireland system over time for criminal law; full devolution.

***Suggested questions for discussion***

- what are the main organisations in the Wales justice system and how do they fit together?
- should all or parts of the justice system be devolved beyond policing [which we are considering separately](courts, prisons, probation, youth justice, legal aid, CPS, Sentencing Council etc)?
- are there other ways of improving the system?
- what would be the opportunities and risks including costs and capacity?
- would there be cross border problems?
- should MoJ criminal law policy (legislative powers) be devolved? Commercial and civil law?
- how does this set of issues relate to the question of a separate jurisdiction?
- should devolution of policing only go ahead if the rest of the criminal justice system is eventually devolved?

Biographies of panel of experts**Professor Timothy Jones**

Timothy's principal research interest is in the way in which the constitution of the United Kingdom accommodates issues of difference and divergence in law. He has more general interests in the writing of statutes and codification, principally in the criminal law.

Andrew Clemes

Andrew has wide ranging experience of all aspects of Litigation. He has appeared in Courts at all levels up to the Court of Appeal on Criminal, Family and Civil matters. He is a door tenant at Angel Chambers in Swansea.

Andrew currently leads the Skills and Criminal Litigation modules and the Advanced Criminal Practice Elective on the Legal Practice Course at Swansea and is responsible for writing and assessing on the 3 duty adviser schemes for Criminal practitioners. He previously taught on the BVC at Cardiff University and he has also delivered CPD events at Swansea.



Andrew co-ordinates the development of Continuing Professional Development within the School and is responsible for setting and judging moots for all law students.

Andrew is responsible for the School's interviewing team in the annual Interviewing Competition run by the University of Westminster.

Peter Raynor

Having worked as a probation officer until 1975, much of his research has concerned the evidence base for effective probation practice. He has also carried out research on victims of crime (for Victim Support, of which he was a founder member and Chair of its Research Committee 1982-7), drug and alcohol services (for the Alcohol Education and Research Council, the Home Office and the Youth Justice Board), young offenders (for the Children's Society), social work education (for CCETSW), unemployed young people (for ESRC), intensive probation, and the relationship between rehabilitation and justice (both supported by the Nuffield Foundation) and a range of other criminal justice topics (for the National Probation Service, the States of Jersey and others). A series of Home Office funded studies since the early 1990s has included work on the quality and effectiveness of pre-sentence reports; a pilot of a cognitive-behavioural programme for offenders; the confirmation of probation officers in appointment; risk and need assessment in correctional services; the resettlement of medium-term and short-sentence prisoners, and the needs and experiences of Black, Asian and other minority ethnic probationers. He has also worked on the development of prisoner resettlement services for the Romanian Ministry of Justice. He has produced more than two hundred publications. He was a panel member for Social Policy and Administration and Social Work in the 1996 and 2001 Research Assessment Exercises, and served as a member of the Correctional Services Accreditation Panel for England and Wales from 1999-2008 and the Community Justice Accreditation Panel for Scotland from 2003-5. He has also represented the Welsh Assembly Government on the NOMS Stakeholder Forum, and has been a member of Scotland's National Advisory Body on Offender Management and of the National Criminal Justice Forum for Wales. He was a visiting Fellow of the Cambridge Institute of Criminology (1991-2) and the Oxford Centre for Criminological Research (1999); a Nuffield Foundation Social Science Research Fellow in 1987 and 1994, and in 2009 a visiting Professor to the Interuniversity Masters programme in Criminal Justice in Barcelona.

Mike McGuire

Mike's research interests are as follows.

Desistance from crime, particularly the resettlement of prisoners. Specific interest in mentoring and the role of the Third Sector.



Policing and crime control, especially 'targeted' and 'intelligence led' policing, 'risk' based crime control strategies, and partnership between police, criminal justice and other agencies. Research interests have spanned the reasons for these developments, their 'effectiveness' in relation to crime, and issues of regulation and accountability.

Devolution and crime control. Professor Maguire is Director of the [Welsh Centre for Crime and Social Justice](#) which links seven universities in Wales and has close links with the Scottish Centre for Crime and Justice.

Winston Roddick

Winston Roddick was elected as the first Police and Crime Commissioner for North Wales on 15 November 2012. He will remain in office until the next elections which will be held in May 2016.

Prior to standing as an Independent election candidate Winston, born and raised in Caernarfon, followed a very successful career as a barrister. After training and working as a police officer in Liverpool, he undertook a law degree and then trained as a barrister. He was appointed to the bar in 1968 and then became a Crown Court recorder. One of Wales's leading barristers, Winston was the first Counsel General to the Welsh Assembly (1998-2003), acting as the senior advisor on all legal issues relating to the Assembly's powers. He was awarded a Companion of the Order of the Bath in the New Year Honours List of 2003/04.