



*Community  
Legal Service*



# Wales Committee for the Community Legal Service (CLS)

Annual Report  
2010

# **Annual Report** **April 2010** **Wales Committee for the Community Legal Service (CLS)**

## **Introduction**

The Wales Committee for the Community Legal Service (CLS) has now completed its third year of working together to strengthen and make improvements in the delivery of the CLS in Wales. The Committee's membership comprises of the key stakeholders in Wales, involved in or impacting on, civil justice. Member organisations have a remit either for Wales specifically, England and Wales, or on a UK wide basis. Both devolved and non-devolved organisations, the Committee pulls together key influencers in the legal advice field across the sectors.

Each meeting of the Wales Committee provides a platform for members to raise issues impacting on the effective delivery of the CLS in Wales. In addition and perhaps most importantly to highlight where there is current or emerging divergence in legislation, policy or practice to that in England.

During the past year the Committee has had a role alongside the Legal Services Commission, in marking the 60<sup>th</sup> anniversary of legal aid and highlighting the changes that have occurred in the landscape of advice services during this period of time.

## **Key Themes for 2009/10**

### **A focus on Young People: Friday 22<sup>nd</sup> January 2010, Bridgend Rugby Club**

Article 12, a youth advocacy organisation based in Pembrokeshire, facilitated an engagement event on behalf of the Wales Committee with a group of young people from the Bridgend area. The event was designed to seek views through workshop based activity, exploring how young people had chosen or would prefer to access advice and information with regard to legal advice and support. The young people came from a range of backgrounds and had experienced a range of difficulties. Backgrounds included involvement in the youth justice system, being in, or having left the care of the local authority, involvement with an employment agency for homeless young people and young people who had a disability.

The event highlighted the many challenges that young people face in understanding their rights and where they are able to seek help. It was considered critical not to assume that all young people would have the same needs and preferences for accessing advice services. Article 12 produced an evaluation report for the event for the Committee to consider and would then be available on the LSC Wales website pages.

The Legal Services Commission's client engagement work was informed by the event and was now looking at how CLA is promoted more widely, including the options in Wales to reach young people, through for example ProMo Cymru. In addition, it was also being considered how the LSC could take forward the concept of setting up client groups for engagement purposes.

## **Recession Measures**

The recession dominated the focus of the Committee over the past year and discussion focussed on how member organisations were responding to the challenges it raised. A standard agenda item was created to consider the impact that the recession was having on the need for legal advice services. Valuable insight was provided by the Chair of the Wales CLS Independent Providers Forum, representing advice providers across the sectors, regarding the issues being faced by service providers on the ground and changes in trends for advice take up.

Each member routinely shared information regarding specific work, initiatives or research that they were undertaking to address the impact the recession was having, either on their organisations or on the range of services that they provided. It was noted that all public services were having considerable pressure put upon their budgets, resulting in efficiencies being sought, greater joint working and in some cases potential cuts in services.

## **Mortgage Rescue Scheme**

During the latter part of 2009, the Committee received detailed information relating to the Mortgage Rescue Scheme and a request to support the roll-out of a pilot, aimed to increase the effective running of the Mortgage Rescue Scheme at a local level.

The Early Intervention Scheme pilot operating throughout the Carmarthenshire area was developed collaboratively between the Wales Director of the Legal Services Commission, a local solicitor practice and Shelter Cymru. A protocol was produced facilitating and enabling joint working across local government, the judiciary, legal advisers and local Housing Associations. The outcome of this work was that more families were able to stay in their homes through accessing the Welsh Assembly Government Mortgage Rescue Scheme or through other support services. The early indicators of the pilot provide a clear signal that more local partnership working across Wales to streamline the process of the Mortgage Rescue Scheme would be of benefit.

Annette Bell, the legal adviser involved in developing the Early Intervention Scheme attended the Committee meeting and outlined her experience of being involved in the scheme, and the impact it had on her clients who were experiencing mortgage payment difficulties.

The Committee endorsed the work of the pilot and fully supported its roll-out across Wales. SOLACE cascaded information and championed the rollout of the pilot amongst local authority Chief Executives and local government senior officials.

## **Schedule of Meetings – 2008/09**

### **5<sup>th</sup> June 2009:**

#### **Local Government Data Unit (Provider focussed meeting)**

The Committee held a short business meeting ahead of an interactive meeting with members of the CLS Independent Advice Services Forum and a number of frontline advice services from the wider Gwent area.

- A discussion paper on the potential future role and remit of the Committee was considered and debated. Discussion took into account the recent enquiry by the Welsh Affairs Select Committee and its recommendations that the Ministry of Justice should look at governance issues regarding the commissioning of legal aid in Wales. It was concluded that the governance arrangements would be reconsidered and built into discussions with the Assembly Government, Wales Office, Ministry of Justice and Ministers regarding a future CLS Strategy for Wales.
- Advice providers and provider representative bodies joined the Committee for the second section of the meeting. The CLS Independent Providers Forum facilitated this section of the meeting, running workshops regarding the definitions and complexity of advice services. The conclusion of the meeting was that issues not only relating to complexity of advice interventions, but also client focus on the identification of need, should be taken into account when funders and providers work together to design services.

### **Eisteddfod:**

#### **6<sup>th</sup> August 2009**

Members of the Wales Committee and the Legal Services Commission's Chief Executive, Carolyn Regan attended the Eisteddfod held in Bala, North Wales. Under the umbrella of Justice partners across Wales, the LSC had an exhibition stand promoting Community Legal Advice (CLA) and the 60<sup>th</sup> anniversary of legal aid.

At a reception held during the week-long event, speakers included Elfyn Llwyd MP, Cemlyn Williams from Gwynedd CAB and Hywel Davies a North Wales solicitor. To coincide with the Eisteddfod, details regarding CLA were included within the Big Issue and a special edition booklet included.

## **Friday 11<sup>th</sup> September 2009:**

### **Novotel, Cardiff**

- It was agreed that the Older Person's Commissioner for Wales would be invited to have representation at future meetings. The Commissioner had indicated a wish for this to happen. This invitation would be issued once the governance issues for Wales were finalised.
- The Committee discussed the LSC civil contracts to be procured in 2010. It noted that procurement plans for Wales had been published according to the regions outlined in 'Making Legal Rights a Reality in Wales' for the purpose of joint commissioning. The Committee welcomed the LSC's approach to allow consortia bidding for social welfare law contracts and felt that this approach would support the profile of advice providers across Wales.
- The Committee would reconsider joint commissioning in Wales following the publication of the Welsh Assembly Government's Feasibility Study into alternative commissioning models. Recommendations following Lord Bach's legal advice study would also be considered, in addition to the Legal Services Research Centre (LSRC) research on Community Legal Advice Services process and outcomes.
- The Committee noted that the external review of policy function in the Legal Services Commission and Ministry of Justice, had delayed the planned review of governance for the Wales Committee. It had also impacted on the plans to recruit a second Wales policy post, which would focus on the work of the Welsh Assembly Government and the Welsh legislative programme.
- The Mortgage Rescue Scheme for Wales and the successful Early Intervention Pilot in Carmarthenshire was discussed as detailed on page 2.
- Alan Davies at HMCS provided a presentation, explaining the work of the Merthyr Tydfil Community Justice Court. Additional guest speakers included Ceri Doyle from the Big Lottery Fund and Dr Steven Marshall from the Welsh Assembly Government's Social Justice and Sustainability Statistics Unit.

## **60<sup>th</sup> Anniversary of Legal Aid event:**

### **Wednesday 9<sup>th</sup> December 2009**

The Wales Committee was invited to celebrate the 60<sup>th</sup> Anniversary of Legal Aid at the Senedd in Cardiff Bay.

The event was designed to commemorate the history and achievements of legal aid over the past 60 years and to learn about the future direction of legal aid in Wales. An exhibition was displayed comprising of landmark cases in legal aid history.

Dr Brian Gibbons AM, Minister for Social Justice and Local Government hosted the event with Tom Jones OBE and Paul Davies as Wales Director addressing attendees. Attendees included Assembly Members, local authority officials and councillors, the Judiciary and other key stakeholders.

## **Tuesday 15<sup>th</sup> December:**

### **Meeting with Sir Ian Magee**

Members of the Wales Committee met with Sir Ian Magee to input into the review of legal aid he was conducting. Unique issues for Wales due to devolution and language were discussed and examples of how other organisations, both devolved and non-devolved had established governance structures within Wales.

### **What have we achieved?**

- A greater emphasis and understanding on young people regarding their needs and preferences for legal advice services, including a dynamic engagement exercise.
- Gareth Moss, representing SOLACE, championed the rollout of the Early Intervention Scheme Pilot across Wales with local authorities, to enable people to access the Mortgage Rescue Scheme in a more timely and efficient manner.
- Raising the awareness of legal aid and its past achievements through high profile events in Wales, enabling the value and impact of legal aid to be recognised.
- Securing representation from the Older Person's Commissioner's Office thereby ensuring in the future that the needs of older people are considered in respect of legal advice services.
- Influencing the outcome of Sir Ian Magee's review into legal aid in respect of Wales and its governance. The review outcome subsequently highlighted the need for the Ministry of Justice and the Legal Services Commission to consider the needs of Wales as it takes forward his recommendations.

### **Changes in membership**

Changes in membership took place during early 2010, including Andy Regan representing the Wales Office, Gareth Moss representing SOLACE and Alan Davies representing HMCS. Replacement representatives were being confirmed for each of these member organisations.

## **Future Meetings:**

The Wales Committee is scheduled to meet on three further occasions during 2010. These meetings will take place as follows:

Friday 4<sup>th</sup> June – provider focussed meeting  
Friday 10<sup>th</sup> September in Cardiff  
Friday 3<sup>rd</sup> December – citizen focussed meeting.

## **Minutes of Meetings:**

All minutes of meetings can be found on the Wales pages of the Legal Services Commission's website at [www.legalservices.gov.uk](http://www.legalservices.gov.uk). All minutes once published are available in Welsh. Minutes of meetings are published following approval at the next meeting.

For any queries regarding the Wales Committee for the CLS, please contact:

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## **Appendix 1**

### **Wales Committee for CLS – Member Organisations**

CAFCASS Cymru  
Citizens Advice Cymru  
(representing CLS Independent Advice Providers Forum)  
Consumer Focus Wales  
Equality and Human Rights Commission  
Her Majesty's Court Service  
Legal Services Commission  
Legal Services Research Centre  
National Offender Management Service Cymru  
Office of the Children's Commissioner for Wales  
SOLACE Wales  
Tribunals Service  
Wales Council for Voluntary Action  
Wales Office  
Welsh Assembly Government  
Welsh Local Government Association

## **Appendix 2**

## **Wales Committee for the CLS - Terms of Reference**

### **Purpose**

1. To strengthen and improve the delivery of the Community Legal Service in Wales by bringing together key justice stakeholders.
2. To identify how changes in political structures, the law and social policy in Wales will impact on the delivery of legal advice services and plan for these impacts.
3. To identify issues arising in Wales of which the National Consultative Committee for England and Wales needs to be aware of in its discussions.
4. To facilitate the sharing of knowledge and information about:
  - a. the need for legal advice services in Wales, identifying ongoing and future programmes in this area and considering how these can be enhanced and better outcomes and value achieved by co-ordinating these activities more effectively
  - b. the current delivery of legal advice services in Wales
  - c. the providers of legal advice services in Wales.
5. To facilitate joint planning of other public services which impact on clients' legal advice needs.
6. To develop ways of addressing systemic or "root cause" issues in the delivery of public (and private) services which give rise to legal problems for clients.
7. To give the Welsh people a voice in the development of the Community Legal Service.

### **Indicative Membership**

Representatives of:

Legal Services Commission

Welsh Assembly Government (appropriate representatives from Units within WAG)

CAFCASS Cymru

Children's Commissioner for Wales

Welsh Local Government Association

Consumer Focus Wales

Commission for Equalities and Human Rights in Wales

Her Majesty's Courts Service (HMCS)

National Offender Management Service (NOMS)

Legal Services Research Centre (LSRC)

Wales Council for Voluntary Action

CLS Independent Advice Providers Forum for Wales

SOLACE Wales

Wales Office

Tom Jones, a member of the Legal Services Commission, will chair the Committee. The Commission will also be represented by the Director of the Community Legal Service, representative from the LSC Civil Policy Team and by the LSC Wales Director.

### **Secretariat**

The Commission will undertake secretariat duties for the Committee, but papers and agenda items will be sought from all represented organisations and bodies.

### **Meetings**

The Committee will meet a minimum of four times a year at venues convenient to members. One meeting a year will include a meeting with representing providers of legal and advice services in Wales. It is proposed that this will take place through the CLS National Forum in Wales. One meeting will include a meeting with a client consultation group, which is to be established. No attendance fees will be paid to members as they will be attending as representatives of their particular organisations.

### **Review**

Terms of Reference for the Wales Committee for the CLS will be reviewed annually.