

Dear Sirs

re Commission on Justice in Wales - Call for evidence

Further to the recent verbal evidence I gave recently at Bangor University I submit my expanded views on the Access to Justice issue.

BACKGROUND

I would like to give evidence in a personal capacity but must disclose my association with Bangor University as a part-time lecturer of Law, and as a solicitor with Gwynedd Citizens Advice (CAB).

I began as a volunteer advisor at CAB in 2002 and specialised in Employment law - advising and representing clients at Employment Tribunals (The Claimant).

In 2010, with my input, CAB won a legal aid contract for employment and I was employed for 17.5 hours a per week to administer the contract. My contracted hours were never long enough so often I needed double that time to cope with the demand for my services, this extra time was unpaid.

When the legal aid cuts came in 2014 CAB continued to employ me because of the demand for the service I provided. However, the legal aid cuts had an unexpected consequence, in that we had an increase in Family clients. As the only solicitor employed by CAB in both North and Mid Wales these clients fell entirely on me to deal with as I had the right of audience at court.

My contracted hours were increased to 24 courtesy of the Big Lottery but even so the hours required to meet client demand was far in excess of this and I regularly worked a further 24 hours unpaid.

Whilst the Family clients substantially increased the employment cases decreased following the introduction of ET fees. However, when the fees were removed in 2017 a substantial increase in Employment cases followed.

I am often seeing as many as 6 new client's a week and as these cases are usually ongoing for many weeks with Family Court and Tribunal hearings the work load is immense. There has been no funding for any support staff for me so the only way to deal with this is by an increase in unpaid hours.

My clients are either low paid or unemployed so are unable to pay for a solicitor to take on their cases. So effectively the service I offer through CAB is a life-line.

For example, a person that feels they have been unfairly dismissed can be devastated. A person's job is often an integral part of their identity and self-respect. They spend most of their waking life at work and the loss of that job can have a serious impact on them. They can quickly loose self-confidence, have a sense of betrayal and injustice. Sleepless nights and depression often follow the longer unemployment continues which can lead to debt and relationship issues.

A person in this situation often needs to be able to draw a line under their dismissal so they can 'move on', the sense of injustice can linger on ruining their and their family's lives. Often the only way to draw that line is through the commencement and conclusion of an ET claim, 'their day in court'. This event cannot realistically happen unless that person can pay for legal advice.

Gwynedd CAB has failed to secure funding for the new fiscal year, so several staff have been made redundant and most have had their hours reduced. I have been made redundant so my services as a solicitor will no longer be available to the Gwynedd Community.

Because of my redundancy 'Access to Justice' for many low-income families will be denied.

Unless some form of Civil Legal Aid is renewed the Charity, sector will need to be available to provide free or at least low cost legal services. However, charities like CAB are subject to irregular funding streams with the result of an inconsistent service.

It is surely a rule of law that access to justice should be for all not just the wealthy, so some more consistent funding stream to the low cost legal service sector is a priority.

yours faithfully,

Ian Winrow