



Cymdeithas y Cyfreithwyr
The Law Society

Commission on Justice in Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

27 June 2018

Dear Commissioners,

We write in response to your call for evidence to share information and data on some of our areas of activity which fall within your workstreams.

About us

The Law Society of England and Wales (“the Law Society”) exists to represent, promote and support all solicitors, so they in turn can help their clients.

The Law Society works to ensure that no-one is above the law and to protect everyone's right to have access to justice. We promote England and Wales as the jurisdiction of choice and the vital role legal services play in our economy. As a professional body governed by a royal charter, our work with governments and legislatures is underpinned by a duty to act in the public interest.

In Wales we have a diverse membership which is facing a range of challenges, many are common with members practising in England and some are unique. This letter sets out some of the work the Law Society is delivering to our members, for their clients and to safeguard the rule of law.

Law Society Activity and Research

The justice sector and public funding of legal services:

The Law Society has published new data which shows a looming crisis in the numbers of criminal duty solicitors.

Representing, promoting and supporting solicitors

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[See our map of criminal duty solicitors in England and Wales](#)

In June 2017 the Law Society conducted a review of the legal aid changes introduced under the Legal Aid Sentencing and Punishment of Offenders Act 2012.

The review concludes that:

- Legal aid is no longer available for many of those who need it.
- Those eligible for legal aid find it hard to access it.
- Wide gaps in provision are not being addressed.
- LASPO has had a wider and detrimental impact on the state and society.

The report includes 25 recommendations to government, focusing on issues including increasing children's access to legal aid, reintroducing legal aid for early advice, and improving Exceptional Case Funding and the legal aid means test. [Download and read the report](#)

The Law Society is campaigning for legal aid to be re-introduced for early legal advice, particularly in family and housing law. Research undertaken by Ipsos-MORI in collaboration with the Law Society Research Unit shows a clear statistical link between getting early legal advice and resolving problems sooner.

The results are based on econometric analysis of data from the [Law Society / Legal Services Board Legal Needs Survey 2015/6](#)

The research is being issued as a part of the Law Society's [Early Advice Campaign](#)

Here is the report '[Analysis of the potential effects of early legal advice/intervention](#)'.

The results of the analysis were also presented at the UCL Access to Justice and Legal Services Conference 11-13 June 2018. The presentation slides are available here: [Econometric analysis of the benefits of early legal advice](#)

We are campaigning to improve access to justice for all, regardless of social background or wealth. The provision of legal aid advice for housing is disappearing in large areas of England and Wales, creating legal aid deserts.

[See our legal aid deserts campaign page](#)

A global centre for legal services

England and Wales is the leading global centre for legal services. The Law Society is promoting the benefits of the law of England and Wales, highlighting that English and Welsh law is flexible, predictable and stable, we have a strong and reliable judicial system, and we have a world class legal profession, benefiting the UK and the globe.

The Law Society has supported the Courts and Tribunals Judiciary in developing their brochure [English Law, UK Courts and UK Legal Services after Brexit](#) which covers a range of issues including the advantages of English and Welsh law and English and Welsh courts.

Legal technology

The Law Society has a strong interest in the impact of technology and data use on human rights and has established a Public Policy Technology and Law Commission which will examine the use of algorithms in the justice system in England and Wales and what controls, if any, are needed to protect human rights and trust in the justice system.

The Commission will hear from academics, tech specialists, government, civil liberty organisations and solicitors, in order to build consensus in support of its approach and recommendations.

The commission, which is expected to report in early 2019, will initially look at the use of AI in legal practice and more broadly in society, by the police and prison services.

The Law Society has published a new horizon scanning report on Artificial Intelligence (AI) and the legal profession. The report explores the use of AI in legal practice, in areas such as document analysis and delivery, legal advisor support and case outcome prediction. It considers the likely implications on legal jobs, types of legal work and the impact on fee structures and costs. The report also examines the legal issues arising from the increased use of AI systems, including issues around transparency, ethics and liability.

[AI and the legal profession Horizon Scanning Report](#)

The Law Society is partnering with Barclays on its Eagle Lab initiative. The aim is to bridge the gap between emerging LawTech innovation and major law firms to help to transform the legal industry. The initiative encourages co-working and business incubation, collaboration and mentoring to bring together the experts helping to revolutionise the technological environment that law firms need to thrive. This is a [link to Barclays Eagle Labs](#)

The Law Society regularly produces a Research Roundup of research on the legal services market Issue 7 includes the 2017 Legal Services Consumer Panel Tracker Survey findings which include figures for Wales.

Here is a link: [Research Roundup Winter 2018](#)

The Commission on Justice

We request that consideration be given to holding open meetings once you have begun to consider the written evidence you have received. We suggest that events are held on individual topics within your terms of reference so that interested parties can come together to explore issues and develop solutions collectively.

The Law Society has an overarching Policy and Regulatory Affairs Committee for issues relevant to the profession and to the Society's public interest role. This committee is advised in its responsibilities by its 25 specialist committees. These specialist committees cover subjects including Access to Justice, Civil Justice, Criminal Law, Family Law, Regulatory Processes and Technology and Law (reference group). There is a dedicated Wales Committee with members from across Wales from private practice and in-house as well as lay members from academia.

As devolution has progressed the Law Society Wales Office has delivered a significant contribution to Welsh law and practice. The Law Society has provided pivotal contributions to the Richard Commission, All Wales Convention and the Communication on Devolution in Wales (Silk) and ensured our members had a voice.

We look forward to working with the Commission on Justice and encourage our members to contribute to the Commission's work.

Yours faithfully,

Law Society Wales Office
Law Society of England and Wales