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Mick Antoniw AM  
Chair , Constitutional and Legislative Affairs Committee  
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Dear Mick,

### **Implementation of Law Commission proposals**

Thank you for your letter of 25 May seeking an update on the identification of a Wales only project for inclusion in the Law Commission's thirteenth programme.

A project to review the law governing our devolved Welsh Tribunals, and make recommendations for reform, has been agreed by the First Minister and the Commissioners.

As you will know, existing rules and procedures for the various devolved Welsh tribunals are complicated and inconsistent, having developed piecemeal from a wide range of different legislation. Most of this legislation was developed before tribunals were considered together as a judicial function.

In general terms, it is anticipated that a Tribunals (Wales) Bill could create standardisation of the tribunal's process in Wales through a unified tribunal system similar to that which exists for England and Wales under the Tribunals Courts and Enforcement Act 2007.

Whilst the Wales Act 2017 has already created the role of President of Welsh Tribunals (PWT), which provides some consistency within the Welsh tribunals, each tribunal is still governed by the legislation which established it and which in many cases is very dated. The PWT is hampered in his leadership role by this difficult legislative base, in which his role does not feature.

As an overview, benefits of a unified tribunals system could include:

- President of Welsh Tribunals – oversight role for all tribunals
- One process for appointments and dismissals
- One process for appointments of Presidents/Deputies
- Power to make and standardise rules
- One process for appeals
- A clear process for handling complaints
- Creation of a system which supports judicial independence

You will be well aware of the practical difficulties the complicated statute causes for the proper and effective operation of the devolved Welsh Tribunals and I hope you will welcome the project, which offers potentially significant advantages in support of the Welsh Government's commitment to the accessibility of the law in this area.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Jeremy Miles'.

**Jeremy Miles AM**  
Y Cwnsler Cyffredinol  
Counsel General