

DP 724/03 - 07

Cynulliad Cenedlaethol Cymru
National Assembly for Wales

Nick Bourne AM
National Assembly for Wales
Cardiff Bay
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Sir Jon Shortridge KCB
Ysgrifennydd Parhaol
Permanent Secretary

14 April 2005

Dear Mr Bourne

DIRECTOR OF LEGAL SERVICES – WELSH ASSEMBLY GOVERNMENT

This letter responds to the Questions you tabled to the First Minister on 18 March about the appointment of a Director of Legal Services. In some respects it repeats the information I provided you in my letter of 4 April.

- It is my practice to consult the First Minister before confirming all senior appointments of this nature. So I shall be consulting him on this occasion in accordance with the guidance provided by the Civil Service Commissioners.
- Since the retirement of the Counsel General, I have relied upon lawyers in what until recently remained the Office of the Counsel General to provide the Assembly Government, and me, with legal advice. I have relied especially on one of the Assistant Counsel Generals, Jeff Godfrey, to provide leadership to the Counsel General's office during this period. In recognition of this role he has been in receipt of a 5% responsibility allowance from November 2003. This was increased to a 10% allowance from April 2004. In addition, during the period November 2003 to April 2004, arrangements were made for Winston Roddick to act as a Standing Counsel to support the work, on instruction, of senior lawyers within the Office of the Counsel General.
- The relevant decision not to appoint a second Counsel General following the failure of the earlier recruitment process was taken by me in discussion with the First Minister. Documentation relating to the decision not to make an appointment on the earlier occasion is set out in the First Minister's decision report of 26 February 2004 published on the Assembly Internet Site.
- The process for appointing a Director of Legal Services to the Welsh Assembly Government will not differ in substance from the earlier appointment process in relation to the attempt to appoint a second Counsel General, although the membership of the Appointments Panel will differ slightly.

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- The decision to appoint a Director of Legal Services rather than a Counsel General was taken in January 2005.
- The main difference in the role between the Director of Legal Services and the earlier post of Counsel General is that the Director of Legal Services will have no responsibility for providing legal advice to the Assembly as a whole. He or she will, however, have responsibility for the legal advice provided to the Assembly Government and for providing me, as the Assembly's Permanent Secretary, with authoritative advice on all matters relating to the decisions and actions of the Assembly in all its manifestations.

Please let me know if there is any further information you would like me to provide.

I am copying this letter, as before, to the First Minister and placing a copy in the Library.

Yours sincerely
Jon Shortridge

JON SHORTRIDGE