

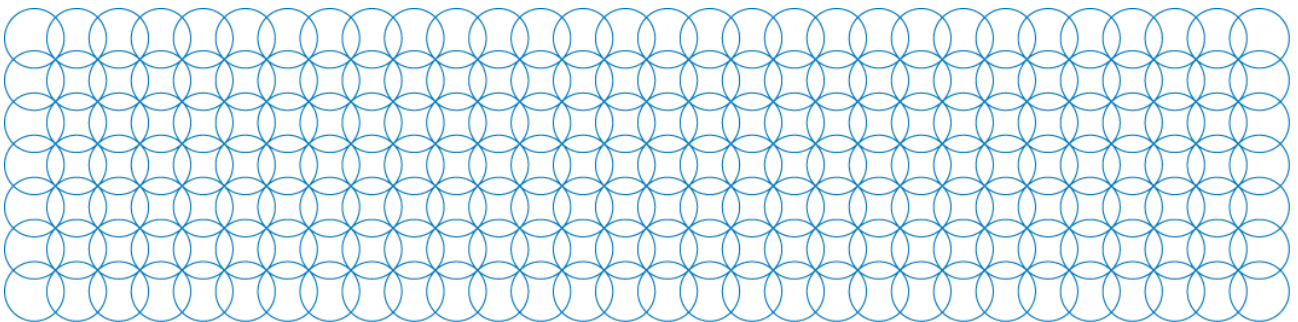


Ministry  
of Justice

# Welsh language scheme 2014 Consultation

This consultation begins on **8 October 2014**

This consultation ends on **3 December 2014**







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of Justice

# Welsh language scheme 2014 Consultation

A consultation produced by the Ministry of Justice. It is also available on the Ministry of Justice website at <http://www.gov.uk/moj>

## About this consultation

- To:** Any organisation or member of the public who has an interest in the use of the Welsh language in Wales
- Duration:** From **8 October 2014** to **3 December 2014**
- Enquiries (including requests for the paper in an alternative format) to:** Aeion Swinton  
Ministry of Justice  
Analytical Services Directorate, Better Regulations  
7<sup>th</sup> Floor 102 Petty France  
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Tel: 020 3334 3904]  
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- How to respond:** Please send your response by 3 December 2014 to: (by post)  
Aeion Swinton  
Ministry of Justice  
Analytical Services Directorate, Better Regulations  
7<sup>th</sup> Floor 102 Petty France  
London SW1H 9AJ  
Tel: 020 3334 3904
- By email: [MOJWLSrevision@justice.gsi.gov.uk](mailto:MOJWLSrevision@justice.gsi.gov.uk)
- Additional ways to feed in your views:** For further information please use the enquiries contact details above
- Response paper:** A response to this consultation exercise is due to be published by summer 2015 at: <http://www.gov.uk/moj>

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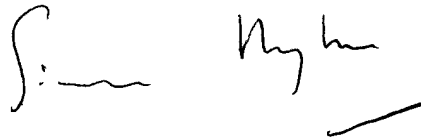
## Foreword

The Ministry of Justice continues to recognise the importance, cultural significance and value of the Welsh language. We also retain our respect for the needs of people whose preferred language is Welsh. Our Welsh language scheme adheres to the principle that we will treat the English and Welsh languages equally in the conduct of public business and the administration of justice in Wales. We will pursue this approach to suit specific circumstances in the most appropriate and reasonably practicable way.

Our scheme was first published in March 2010. We have since updated it to maintain its effectiveness. This consultation paper incorporates the department's proposed revised Welsh language scheme. It describes how we will continue to support the principle that underpins the scheme; both in our delivery of corporate services and our conduct of corporate business with the public in Wales.

The Ministry of Justice welcomes feedback on the proposed scheme. This will help us improve meeting the needs of Welsh speakers using our services and business in Wales.

I look forward with interest to the results of this consultation and to the implementation of the revised scheme.

A handwritten signature in black ink, appearing to read 'Simon Hughes', with a horizontal line underneath.

**Simon Hughes**  
**Minister of State for Justice and Civil Liberties**

## Introduction

The Ministry of Justice (MoJ) serves the public by upholding the rule of law, and by delivering an efficient, fair, timely and effective justice system in which the public has confidence. MoJ is a government department with wide ranging responsibilities covering England and Wales and in some cases Scotland and Northern Ireland. The MoJ has Agencies and business delivery arms that are responsible for carrying out functions and providing services in various parts of Great Britain and the United Kingdom.

MoJ has adopted the principle that in the conduct of public business and the administration of justice in Wales we will treat the English and Welsh languages on a basis of equality, so far as is both appropriate in the circumstances and reasonably practicable. MoJ first published its Welsh language scheme in 2010 giving effect to this principle.

The MoJ's Welsh language scheme is a corporate scheme that covers the business areas and teams in MoJ's corporate headquarters, including the department's policy, corporate finance, commercial, procurement, HR, estates, IT and communications functions. Most MoJ business and services in Wales are delivered by one of the department's main delivery bodies, such as Her Majesty's Courts and Tribunal Service (HMCTS), the National Offenders Management Service (NOMS), the Legal Aid Agency (LAA), and the Office of the Public Guardian (OPG). These groups are not covered by the MoJ Welsh language scheme, however, as they have or are developing their own Welsh language schemes.

In this document, therefore, references to "MoJ" and "we" refer to MoJ's corporate HQ, and do not include the Department's delivery arms, such as Her Majesty's Courts and Tribunal Service (HMCTS), National Offender Management Service (NOMS), the Legal Aid Agency (LAA) and the Office of the Public Guardian (OPG).

At the end of each year of operating the scheme, MoJ has reported on its performance under the scheme, in the first year to the Welsh Language Board and then in subsequent years to its successor, the Welsh Language Commissioner. We have taken into account feedback, suggestions and recommendations made by those bodies towards year on year improvement in our scheme.

The MoJ scheme has been reviewed after a full three years of operation. This paper sets out MoJ's proposed revised Welsh language scheme for consultation. This consultation is aimed at organisations or persons living or working in England or Wales namely the public, judicial officers, civil servants and other government officials, individuals, organisations and businesses who either help us to provide, or who are recipients of our services in Wales.

A Welsh language version of this consultation paper is available at <http://www.gov.uk/moj>



## Overview of the proposed revised scheme

Most of the content of the current scheme remains relevant and appropriate to the conduct of public business and the administration of justice in Wales and the annual monitoring reports indicate it is working effectively. Therefore, most of the current scheme is retained in the revised scheme. The main changes are to include some additional monitoring actions and activities to ensure that MoJ's staff and business suppliers of services in Wales give the due consideration to the scheme's provisions regarding the use of the Welsh language.

The proposed revised scheme is set out in **Appendix 1**.

The revised scheme has an "Introduction" section and further sections covering "Policy Development", "Recruitment", "Provisions of Services to the Public" and also the way in which we will be Implementing, Monitoring and Publishing it.

**The "Introduction"** confirms MoJ's commitment to the Welsh language. It explains the department's activities carried out in its areas of responsibilities, either through its associated bodies or the different business areas that make up the department and which of these delivery arms have their own Welsh language scheme – due to the nature of their conduct of services and business in Wales. This section also indicates how we will work with the Judiciary to ensure provisions of the Welsh Language Act 1993 can be fully met in the conduct of legal proceedings through the courts and tribunals.

**The "Policy Development" section** confers responsibilities on the department's policy makers and advisors to consider what impact, if any, new policies and initiatives will have on Welsh speakers in Wales. This section also states MoJ's commitment to ensuring that its delivery arms are able to fulfil their commitments under each of their Welsh language schemes. Mention is also made of our links to the Lord Chancellors Standing Committee on the Welsh Language.

**The "Recruitment" section** provides for Welsh language considerations in the recruitment of staff, the recruitment and deployment of Judicial officers and of other public appointments.

**The section on "Provisions of Services to the Public"** sets out MoJ's general approach and standards in doing this and deals with the various ways in which we will communicate and the standards towards which we will work in so doing. It also sets out the relevant Welsh language considerations in regards to allocation of grants.

**Section 5 of the scheme** deals with the implementation, monitoring and publishing of the scheme.

**Annex A** of the scheme is an updated list of the MoJ associated bodies who are either covered under this revised scheme or who have or are planning to develop their own scheme.

**Annexes B and C** of the scheme are tools to assist the assessment of "practicality" when considering the question of providing Welsh translations for publications and forms. This remains important for MoJ as many of our areas of activities to which we need to give publicity may not have any implications for the Welsh language or Welsh speakers in Wales.

**Annex D** of the scheme is a revised action plan with some new and additional timetabled actions. The purpose of these actions is to continue to raise awareness of this scheme and its provisions across the Department and to improve consistency in its application and the monitoring of the scheme's operation. When the revised scheme is introduced, responsibility for the actions will fall to the specified MoJ business areas who will oversee implementation, progress and monitoring of the specified actions.

We have assessed the potential impacts of the proposed changes in the revised scheme and this assessment does not indicate that the proposals in this paper are likely to lead to additional costs or savings for businesses, charities, the voluntary sector or for the public sector. A number of the changes introduced in this proposed revised scheme involve MoJ in various monitoring activities regarding the efficiency and effectiveness of this scheme, and also encourages the department to be pro-active in maintaining awareness of this scheme. Consequently, this paper does not contain an Impact Assessment.

An initial Equality Assessment screening has been carried out on the draft revised scheme contained in this paper. This initial screening has not identified any differential impacts arising from the proposals other than: (a) the benefit to Welsh speakers in terms of being able to use their language of choice when dealing with the MoJ and; (b) providing Welsh speakers with an improved assurance regarding the level of Welsh language arrangements that will be provided by this department.

## **About the consultation questions**

We are consulting in order to give the public, individuals, organisations and businesses who, either help us to provide, or who are recipients of our services in Wales, an opportunity to share their thoughts about the revised scheme and to put forward any other thoughts regarding how the scheme might be further revised. We want to harness the knowledge, expertise and opinions of interested parties, our stakeholders, and the public, to ensure that the MoJ scheme is effective and fulfils the purpose for which it was designed.

We hope to communicate with a wide section of the public who have an interest in the use of the Welsh language in the provision of business and services in Wales. We also hope to communicate with as many groups and organisations with similar Welsh language interests, as possible. We will communicate with these groups and members of the general public by placing the consultation on the GOV.UK website. We will inform parties of it by use of the MoJ database of stakeholders to identify “Welsh interest” individuals / organisations who in turn will cascade to their respective contacts / membership / subscribers via newsletter etc.

We want to ensure that any changes to the revised MoJ Welsh language scheme made as a result of this consultation reflect the most appropriate thoughts and recommendations of persons who have given consideration to the issues and responded accordingly.

This consultation paper includes a questionnaire (page 36). Respondents are invited to complete this questionnaire. The questionnaire is worded to enable respondents to comment on any aspect of the revised scheme, which is presented in this paper.

Copies of the consultation paper are being sent to:

### **Main professional bodies or persons**

The Lord Chief Justice of England and Wales; The Wales Senior Presiding Judges; A number of other High Court Judges as representatives of other Judicial offices and bodies; Tribunal Judges; District Judges; Justices of the Peace; Director of Legal Wales; HMCTS Wales Delivery Director; HMCTS Head of Welsh Affairs; Head of the LAA; MOJ Internal Heads of Services / Business areas and Head of the Office of the Public Guardian.

### **Main representative groups**

The Lord Chancellor’s Standing Committee on the Welsh Language; The Magistrates Association; Chair of Bench Chair forums; Welsh Government; National Offenders Management Service; Legal Aid Agency; Probation Service; Wales Office; Crown Prosecution Service; CAF/CASS Cymru; Victim Support; MoJ Wales senior managers group (senior representatives from NOMS Wales, YJB Cymru etc).

## Appendix 1: The proposed revised scheme

### Ministry of Justice Welsh language scheme

#### 1. Introduction

1. The Ministry of Justice (MoJ) is a department of central government that serves the public by upholding the rule of law, and by delivering an efficient, fair, timely and effective justice system in which the public has confidence.
  - We enforce the decisions of the court: we punish offenders and work to reduce reoffending. We prevent victims by changing lives.
  - In partnership with an independent judiciary, we run the courts and tribunals service, helping individuals, businesses and families resolve their disputes.
  - We protect vulnerable members of society and children, and help to ensure victims of crime get justice.
  - We provide legal aid and advice for those cases where it is justified.
  - We develop policy on all aspects of law and justice, both domestically and internationally, helping to build a legal and rights framework that is clear and proportionate and that commands confidence around the world.
2. The MoJ has adopted the principle that in the conduct of public business and the administration of justice in Wales, it will treat the English and Welsh languages on a basis of equality, so far as is both appropriate in the circumstances and reasonably practicable. This scheme sets out how the MoJ will continue to give effect to that principle in the delivery of services to the public in Wales for which it is responsible. The name of this Department in Welsh is *Y Weinyddiaeth Cyfiawnder*.
3. The MoJ's Welsh language scheme is a corporate scheme that covers the business areas and teams in MoJ's corporate headquarters, including the department's policy, corporate finance, commercial, procurement, HR, estates, IT and communications functions. Most MoJ business and services in Wales are delivered by one of the department's main delivery bodies, such as Her Majesty's Courts and Tribunal Service (HMCTS), the National Offenders Management Service (NOMS) and the Legal Aid Agency (LAA). These groups are not covered by the MoJ Welsh language scheme, however, as they have or are developing their own Welsh language schemes.
4. References in the scheme to "MoJ" and "we", therefore, refer to MoJ's corporate HQ, and do not include the Department's delivery arms, such as Her Majesty's Courts and Tribunal Service (HMCTS), National Offender Management Service (NOMS), the Legal Aid Agency (LAA) and the Office Public Guardian (OPG).

5. This scheme replaces the previous Ministry of Justice Welsh language scheme published in March 2010 and is prepared in accordance with Section 21 of the Welsh Language Act 1993.
6. The Lord Chancellor and Secretary of State for Justice has approved this scheme for use in MoJ corporate HQ and in a number of the bodies sponsored by the MoJ. A complete list of the bodies sponsored by MoJ can be found at Annex A.
7. This scheme has been adopted by the Ministry of Justice and was approved by the Welsh Language Commissioner on **[Add date]**

## 2. Policy Development and Implementation

1. As a Government department MoJ is typically responsible for advising Ministers on the development of new policies and initiatives, for some support functions and in some circumstances in specifying the nature of services to be delivered by others. We will ensure that staff and advisers involved in policy formulation and the preparation of instructions for new primary and secondary legislation take into account this scheme and our responsibilities under the Welsh Language Act. As we consider and develop new policies, or review existing policies in the usual course of policy business, we will:
  - assess the linguistic consequences of policies affecting services provided to the people in Wales;
  - try to ensure that new and existing policies do not hinder the promotion and facilitation of the use of Welsh;
  - implement the principle of equality at every opportunity, so far as is both appropriate in the circumstances and reasonably practicable.
2. As we consider the implementation of policies or reforms, we will assess the linguistic consequences of service provision to the people of Wales, and try to avoid any hindrance to the promotion and facilitation of the use of Welsh whenever possible and implement the principle of equality at every opportunity, so far as is both appropriate in the circumstances and reasonably practicable. When policies are to be implemented by MoJ directly, or through third parties, we will ensure that those services are delivered in Wales in a way which treats the English and Welsh languages as equal, for example:
  - assisting rule making bodies where necessary to amend, rules, procedures or prescribed forms to facilitate the use of Welsh where the services are provided to people in Wales;
  - ensuring that specifications for services to be supplied by other organisations on our behalf include relevant measures relating to the use of Welsh, for example,
    - that printed information such as leaflets and information packs should be available in both Welsh and English, and
    - that either language may be used at any event<sup>1</sup> in Wales and in any other business with the organisation providing the service. Attendees are invited to say, at least two weeks in advance of an event, if they intend to speak Welsh.
3. On the development and delivery of IT systems and products, or the updating of old ones, we will:
  - at the outset assess the linguistic requirements in respect of services provided in Wales;

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<sup>1</sup> Event means any conference, seminar or meeting publicised to the public in Wales

- try to avoid any hindrance to the promotion and facilitation of the use of Welsh wherever possible; and implement the principle of equality at every opportunity so far as is both appropriate in the circumstances and reasonably practicable;
  - As we develop or procure ICT systems we will take into account the Welsh Language Commissioner's guidance on Welsh Language Technology and the advice note on the Principles of Bilingual Software.
4. MoJ corporate HQ is not normally involved directly in the provision of specific services to the public, which are usually delivered by MoJ's delivery arms, such as HM Courts and Tribunals Service (HMCTS), the National Offender Management Service (NOMS), the Legal Aid Agency (LAA) and the Office of the Public Guardian (OPG).
  5. MoJ corporate HQ will, in so far as is within our responsibilities and is proportionate, enable these organisations to implement the commitments made in their schemes by:
    - assisting rule-making bodies where necessary to amend, rules, procedures or prescribed forms to facilitate the use of Welsh where the services are provided to people in Wales;
    - allowing services to be organised and delivered in a way which facilitates the use of Welsh by organisations and by the public;
    - consulting them, as described above, as we develop policies and initiatives to ensure that full account is taken of the implications for the provision of these services in Wales.
  6. We will consult the Judicial College, the Presiding Judges of Wales, the Family Division Liaison Judge and the HMCTS Delivery Director for Wales to determine what guidance or training may be needed in relation to the use of the Welsh language for the judiciary who hear cases in Wales.
  7. We will also engage with the Lord Chancellor's Standing Committee on the Welsh Language, as is appropriate. By its terms of reference, the Standing Committee assists the Department and its associated agencies with both the development and delivery of Welsh language services within the justice sector in Wales.

### 3. Recruitment

#### Staff Appointments

1. Since MoJ corporate HQ is mainly located in London, we recruit nationally and advertise in the English language. MoJ corporate HQ does not generally provide services direct to Welsh speakers and so the recruitment of Welsh-speaking staff is not a crucial factor in delivering this scheme, nor is training of those staff in the use of the Welsh language.
2. When recruiting for vacancies in Wales, however, this will be advertised bilingually: Notices will be in Welsh and placed in Welsh language publications. The Welsh and English versions will be equal in terms of format, size, quality and prominence – whether produced as a single bilingual version, or as separate Welsh and English notices.
3. The MoJ is committed to moving onto the Civil Service Recruitment (CSR) recruitment platform at the earliest opportunity subject to a robust business case. Part of this business case will include the impact of meeting the Welsh language commitments.

#### Judicial Appointments

4. The Judicial Appointments Commission selects candidates for judicial office and recommends them either to the Secretary of State and Lord Chancellor, the Lord Chief Justice of England and Wales or the Senior President of Tribunals for appointment as appropriate (Crime and Courts Act 2013). The Secretary of State and Lord Chancellor, in accordance with the Constitutional Reform Act 2005, makes the appointments or recommends the appointments to The Queen.
5. The Wales Presiding Judges, the Family Division Liaison Judge and the HMCTS Delivery Director for Wales regularly assess the judicial complement and need for judicial recruitment in Wales. In doing so, they also consider when successful candidates will be expected to have essential Welsh language skills<sup>2</sup> (either to maintain current complements of Welsh speaking judges or to meet an increase in demand).
6. Once agreed for inclusion in the selection exercise programme the JAC will develop a marketing plan for the individual exercise.. If the JAC decided to advertise in a Welsh publication (i.e. a publication with a specific Welsh focus/ readership) it would seek to do so in English and Welsh. The JAC will usually consider using a bilingual advertisement, however as the merits and content of each recruitment campaign differs there may be occasions where there will be separate English and Welsh language documents. If the JAC were to place an advertisement in an English publication, it would only advertise in English but will make clear reference to any Welsh-speaking requirement.

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<sup>2</sup> Welsh language skills means the ability to converse and write fluently and easily in the Welsh language.



7. Additionally, in view of the current restrictions on advertising introduced by HM Government, a formal exemption request from the Government's freeze on all government advertising, marketing and communications spend is likely only to be sought from the MOJ to advertise a specialist non-legal tribunal role and unless absolutely essential those adverts would be online following the government's 'digital by default policy'.
8. Given that all judges must speak English, the JAC do not routinely provide selection material in Welsh but will do so on request. This is made clear in a Welsh section, Cymraeg, on the JAC website, which is the source of information about specific selection exercises.
9. The appointments most frequently made in Wales are appointments of magistrates. Local Advisory Committees are responsible for the recruitment and selection of magistrates. Recent changes to the way in which Magistrates are recruited in Wales now means that Advisory Committees in Wales will be able to make specific reference to any vacancies that require Welsh language skills as an 'essential' criterion.
10. "Welsh language essential" vacancies arise when there is a need to increase the pool of Welsh speakers on the bench to ensure that the courts can discharge their statutory obligation under section 22 of the Welsh Language Act. In these circumstances the local Advisory Committees in Wales have discretion to advertise vacancies on the bench as being "Welsh language essential" – i.e. when there is a clear requirement for applicants to be able to understand and converse sufficiently fluently in the Welsh language. This is in pursuance of the need for the courts in Wales to have sufficient numbers of bilingual magistrates who are able to conduct court hearings<sup>3</sup> and other court-related business in the medium of the Welsh language.
11. Candidates applying for consideration for Welsh-language essential vacancies on the bench will be asked to provide a referee able to comment on their ability to understand and converse fluently in the Welsh language.
12. Other judicial appointment exercises are administered within the Department. Where vacancies arising in Wales are advertised they are advertised in a Welsh publication (i.e. a publication with a specific Welsh focus/ readership). We will also consider whether the ability to conduct proceedings through the medium of Welsh would be a desirable attribute in a candidate. The nature and location of the particular post, and current capacity to conduct hearings in Welsh, will be relevant factors. Welsh language application material will be made available on request.

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<sup>3</sup> Neither the Welsh Language Act 1993 nor MoJ's WLS confers the right for individuals (defendants, jurors or litigants) to have a complete trial, or hearing conducted in Welsh. HMCTS (Welsh Language Unit) has issued guidance clarifying that the provisions of S22 of the Welsh Language Act are quite clear in that it grants the right for any party, witness or other person to speak Welsh, but it does not confer a right for the complete process of a trial or hearing to be conducted in Welsh. In individual cases, HMCTS will ascertain in advance what the Welsh requirements are for any element of a trial or hearing (witnesses etc.) and make arrangements accordingly.

### **Other public appointments**

13. If a non-judicial appointment arises in Wales in future, the particular procedure to be adopted for the appointment will depend on the nature of the post. We will consider, in light of the nature and location of any particular post, whether specifically to seek Welsh-speaking candidates.

## 4. Provision of Services to the Public

### General

1. Where MoJ corporate HQ provides services in Welsh, it will deliver the same quality of service as it provides when that service is provided in English.

### Correspondence

2. MoJ corporate HQ will aim to respond in Welsh to any correspondence sent to us in Welsh within the same timescale as other correspondence. We expect to use the Welsh Language Unit in HM Courts and Tribunals Service for translation services, and will re-issue guidance to staff on the use of the translation service before this scheme comes into effect.

### Telephone Calls

3. MoJ corporate HQ is mainly located in central London and has very limited direct contact with the general public. Therefore it is neither proportionate nor practicable for us to offer a Welsh Language telephone service. We are though, currently investigating how we might enhance this service by providing for the first response to a call by a Welsh speaker to be in Welsh. In the meantime, we will offer those who call us and who wish to speak in Welsh the option of writing to us in Welsh or continuing the conversation in English.

### Events

4. If MoJ corporate HQ holds events in Wales, these will be publicised in both Welsh and English and we will make it clear that participants will be welcome to contribute in Welsh and English. In order to assist with arrangements we will:
  - make it clear when issuing notice of the event that we will respect the right of persons attending to speak in Welsh or English;
  - invite anyone proposing to attend to say at least two weeks in advance if they intend to speak Welsh;
  - issue guidance to staff to help them decide whether translation facilities<sup>4</sup> are needed having regard to the subject to be considered, the location of the meeting and who is likely to attend, as well as whether there has been prior indication that both languages will be used by participants.

### Corporate Identity

5. MoJ corporate HQ will present a fully bilingual corporate identity on all MoJ correspondence, documents and publications to be used in Wales. This includes the Welsh form of the title for the Department (*Y Weinyddiaeth Cyfiawnder*). These documents will also be made available on the MoJ corporate pages of the GOV.UK website (<https://www.gov.uk/moj>)

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<sup>4</sup> Translation facilities include the translation of event materials and/ or a translator.

6. Any departmental correspondence addressed to a member of the public in Wales will be on bilingual headed paper, regardless of whether the letter is written in Welsh or not.

### **Publications and Forms**

7. MoJ corporate HQ is responsible for a number of publications, including reports, policy papers, guidance and leaflets relating to our responsibilities throughout England and Wales. Publications and forms will be available for the public in Wales either through the MoJ corporate pages on the GOV.UK website or will be distributed by our delivery arms on our behalf.
8. The MoJ will make publications available in Welsh or in a bilingual format where they are relevant to the public in Wales or have an all-Wales relevance unless they fall into one of the following categories:
  - a) if there is only a small demand i.e. if circulation is expected to be very limited; or where documents are aimed at a specific group and the demand in Welsh is expected to be low (generally, a distribution of less than 50);
  - b) technical documents where the circulation is restricted to the technical community;
  - c) very large documents (generally, those in excess of 100 pages) which, although available to the general public, are unlikely to elicit widespread interest and response.
9. If documents have not been translated into Welsh for one or more of the reasons above, we will consider translating the document into Welsh on request. This will however be dependent upon demand and re-consideration of the factors above. There may be rare instances when publication in Welsh upon request is still not feasible, such as documents which are particularly long. In these cases we will translate a summary document on request and make this available to the public.
10. MoJ corporate HQ will ensure that all reports that are to be available in Welsh are first considered for publication in a bilingual format unless this will render the document unwieldy.
11. As MoJ publications cover a wide variety of subject areas and activities and have very variable target audiences, MoJ corporate HQ will continue to use the Welsh Language Board's scoring systems for publications and forms to assist in determining whether to make these available in Welsh or in a bilingual format. Where the scoring system assists MOJ in determining that publication in Welsh is justified we will undertake to provide an electronic PDF version of this which will be available to download. The scoring systems can be found at Annex B and Annex C of this scheme.
12. Where a Welsh version of a document or summary is issued, we will do so at the same time as the English language version where the deadline permits.
13. Where required, MoJ corporate HQ will produce forms for use in Wales in Welsh or in a bilingual format according to the Welsh Language Board's scoring system for forms. Translation on request will remain an option. Where the scoring system justifies a Welsh form we will undertake to provide an electronic PDF version of

this which will be available to download from the relevant MoJ pages on the GOV.UK website.

### **Press Notices**

14. Press releases to the Welsh language press and broadcasting media in Wales will be issued in Welsh where deadlines permit. These press notices will also be made available on the MoJ pages of the GOV.UK website.

### **Publicity Campaigns and Advertising**

15. All of the publicity, public information, exhibition and advertising material we use in Wales (in order to communicate with the general public) will be produced fully bilingually, or as separate Welsh and English versions. If the Welsh and English versions have to be published separately, both versions will be equal with regard to size, prominence, and quality. Both versions will be available simultaneously and will be equally accessible.
16. When we issue a general advertisement that is not for recruitment purposes, we will issue a bilingual version in the Welsh press if it relates to:
  - matters of major significance to Great Britain as a whole;
  - matters of a particular interest in Wales.

### **Official Notices and Public Notices**

17. All official notices and public notices published or posted in public places in Wales will be issued bilingually or in both Welsh and English language versions.

### **Website**

18. The MoJ page of the GOV.UK Website will include items in Welsh where those items are required to be in Welsh by other sections of this scheme and where they meet the website's publication criteria by relevance / importance and user need/demand.
19. When designing new websites, or redeveloping our existing websites, MoJ corporate HQ will take into account the Welsh Language Commissioner's guidance on Welsh Language Technology and the advice note on the Principles of Bilingual Software and any other guidance issued by the Welsh Language Commissioner with regard to developing websites. (Note: MoJ along with other government departments is limiting the number of new websites it can develop).
20. Whenever MoJ corporate HQ posts English language publications on our websites, where appropriate, the Welsh versions will be posted as soon as practically possible.
21. At present most Welsh web content is guidance delivered through the [www.gov.uk/moj](http://www.gov.uk/moj) website on behalf of our agencies and Arms Length Bodies. During 2014 [www.justice.gov.uk](http://www.justice.gov.uk) is due to close with the appropriate content moving to GOV.UK. Whether or not guidance material is provided in Welsh on GOV.UK will depend on evidence that there is a user need for that information to be available in Welsh. Guidelines on this can be found on <https://insidegovuk.blog.gov.uk/use-of-welsh-language-on-gov-uk>

### **Administrative arrangements**

22. MoJ corporate HQ expects to use the Welsh Language Unit in HM Courts and Tribunals Service for translation services in Wales. We will develop standards to ensure that, if we need to secure outside services, the translators we use are suitably qualified and able to provide a high quality service.<sup>5</sup>

### **Services delivered on behalf of the MoJ by other parties**

23. MoJ corporate HQ will ensure that arrangements and contracts with third parties that relate to the provision of services to the public in Wales are consistent with the terms of this scheme and are implemented accordingly.
24. [Guidance on the tender requirements and the MoJ's standard terms and conditions have been amended to reflect more clearly that services delivered on behalf of the MoJ should reflect where relevant to the services to be delivered the Welsh Language Scheme requirements. Accordingly, those particular Welsh Language requirements relevant to the services will be specified in the contract.](#)
25. [The MoJ standard terms and conditions include requirements on the contactor to report on compliance with any service obligations relating to the Welsh Language.](#)

### **Allocation of Grants**

26. Any organisation which applies for sponsorship or grant aid for activities which involve the delivery of service to people in Wales, will be expected to address in their applications where appropriate how they intend to provide those services in Welsh as well as English. This will then be incorporated as one of the funding conditions.
27. If MoJ corporate HQ awards grants and loans for activities to be undertaken in Wales, we will include conditions where appropriate with regard to the use of Welsh. In doing this we will have regard to the Welsh Language Commissioner's advice document *Grants, loans and sponsorship: Welsh Language Considerations*. Work is currently underway to develop a Grants Framework, and the appropriate provisions of this scheme and the Commissioner's advice document will be factored into the framework.

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<sup>5</sup> MoJ / HMCTS has a contract with Capita for the provision of translation and interpreter services. However, the Capita contract does not cover the provision for supplying Welsh interpreters / translations for courts and tribunals in Wales as this is covered by the Welsh Language Unit. However, outside of Wales, Welsh interpreters and translations can be provided by Capita.

## 5. Implementing, Monitoring and Reporting

### Implementing the scheme

1. Once the scheme is finalised, it will be published on the relevant MoJ pages of GOV.UK as a corporate publication, and a press notice will be issued to raise awareness of the revised scheme. Also, a copy of this scheme will be available to all MoJ corporate HQ staff via the MoJ intranet. When the scheme is launched we will also issue guidance to staff in MoJ corporate HQ on:
  - handling correspondence in the Welsh language;
  - using the Welsh Language Unit in HM Courts Service and the alternatives;
  - when to consider issuing bilingual or both Welsh and English language documents, publications and publicity material;
  - the implications of this scheme for those procuring services from third parties;

### Monitoring the scheme

2. This scheme will generally be operative from the date of implementation. MoJ corporate HQ will make sure that all staff involved in policy-making and other corporate services are aware of the requirements of this scheme and take them into account in the conduct of their work. This will be done:
  - by monitoring implementation of this scheme;
  - by introducing checks into policy and procurement processes, to ensure the Welsh language dimension is taken into account at the right time in a proportionate way. The HMCTS Delivery Director for Wales, who is the MoJ's Key holder for Welsh Language issues, can be consulted for guidance as appropriate.
  - regularly consulting the Judicial College to determine what guidance on training may be needed by the judiciary who hear cases in Wales in relation to the use of the Welsh language;
3. To help ensure the scheme is implemented effectively in MoJ corporate HQ, we will monitor the areas set out in Action Plan D, in particular:
  - **Forward planning** - each year we will remind each business area in MoJ corporate HQ of the Welsh language scheme and the requirement to consider the application of this scheme to policy, procurement and other corporate areas. Corporate areas will be asked to report on work arising from the requirements of this scheme, including what they delivered over the last year, work that is ongoing, and new work expected to arise this year.
  - **Our public face:** the Departmental press and publications unit will monitor, record and report annually on the number of bilingual publications, forms and press notices it produces and/or distributes; each business unit in MoJ corporate HQ will be required to monitor, record and report periodically on

bilingual documentation or notices which it issues and which are not produced and/or distributed by the press and publications unit.

- **Agents and contractors:** each business unit in MoJ corporate HQ that uses agents or contractors to deliver services to the public in Wales will be required to monitor and report annually on the agents' or contractors' compliance with the Welsh Language terms of their agreements or arrangements.
- **Grievances:** complaints relating to our Welsh Language Service will be dealt with in accordance with our normal complaints procedure. Please see <http://www.gov.uk/moj/complaints/moj> for further information.

### **Reporting on the scheme**

4. Each year the MoJ corporate HQ will provide the Welsh Language Commissioner with an annual report that assesses the performance of the scheme. After three years, MoJ corporate HQ will review the operation of this scheme and discuss progress and future priorities with the Welsh Language Commissioner.

### **Publishing Information**

5. MoJ corporate HQ will publish a summary of our performance under this scheme in the annual Departmental Report (or a similar published corporate document), including an explanation and/or the steps we intend to take if we have not made suitable progress in delivering the action plan (set in Annex D of the scheme).



# Annex A -The organisations sponsored by the Ministry of Justice

## MoJ sponsored organisations covered by the Ministry of Justice Welsh language scheme

**Independent Monitoring Boards** - Advisory non departmental public body (NDPB)

**Judicial Conduct Investigations Office** - (now part of the Judicial Office) other independent office

**Law Commission** - Advisory non departmental public body (NDPB). The Commissioners at the Law Commission have agreed that it should adopt the MoJ's Welsh language scheme.

**Offices of the Accountant General / Court Funds Office** - Independent statutory office

**Offices of the Official Solicitor and Public Trustee** - Independent statutory office

**The Legal Ombudsman** - Independent statutory office

## MoJ sponsored and/or associated organisations with their own Welsh language scheme or policy:

**Criminal Injuries Compensation Authority** - Executive non departmental public body (NDPB)

**HM Courts and Tribunal Services (HMCTS)** - Executive agency, which has adopted its own Welsh language scheme

**HM Chief Inspectorate of Probation; and**

**HM Inspectorate of Probation** - Independent Inspectorate, which has its own Welsh language policy

**Legal Services Board** - Executive Non-Departmental Public Body

**National Offender Management Service (NOMS)** - which has adopted its own Welsh language scheme and which comprises:

- **HM Prison Service** - Executive Agency; and
- **National Probation Service (NPS)** - was set up on 1 June 2014 along with 21 community rehabilitation companies (CRCs) that manage low and medium risk offenders. The NPS work in partnership with the CRCs and together, the NPS and the CRC's have replaced the former 35 probation trusts.

**Parole Board**- Executive non departmental public body (NDPB), which will develop and adopt its own Welsh language scheme.

**Office of the Information Commissioner**- Executive non departmental public body (NDPB), which has adopted its own Welsh language scheme.

**Office for Legal Complaints** - Independent statutory office.

**The National Archives (TNA)** - Non ministerial department and executive agency, which does not fall within the scope of the Welsh Language Act but which has adopted a policy statement on the use of the Welsh language.

**Wales Office** - Office relating to devolved administrations, which has adopted its own Welsh language scheme.

**Youth Justice Board for England and Wales** - Executive non departmental public body (NDPB), which has its own Welsh language scheme.

### **MoJ-sponsored organisations developing or planning to develop their own Welsh language scheme or policy:**

**HM Inspectorate of Prisons** - Independent Inspectorate which plans to investigate developing its own Welsh language scheme.

**Judicial Appointments Commission (JAC)** - Executive non departmental public body (NDPB) which previously followed the policy of HMCS Welsh Language Services but is considering the development of its own Welsh language policy.

**Legal Aid Agency (LAA)**<sup>6</sup> - Executive Agency which is developing its own Welsh language scheme

**Office of the Public Guardian** - Executive agency, which is developing its own Welsh language scheme.

**The Sentencing Council** - Advisory non departmental public body (NDPB).

### **Organisations sponsored by Ministry of Justice not covered by this Welsh language scheme:**

**Advisory Committees on Justices of the Peace in England and Wales (includes the Advisory Committees on Justices of the Peace in Lancashire, Greater Manchester and Merseyside)** - Advisory non departmental public body (NDPB)

**Advisory Council on Historical Manuscripts** - Advisory non departmental public body (NDPB) to The National Archives

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<sup>6</sup> The LAA formerly operated as the Legal Services Commission (LSC) which had its own Welsh language scheme. By agreement with the Welsh Language Commissioner, the LAA has continued to use the rolled over LSC scheme until a new scheme is approved.

**Advisory Council on National Records and Archives** - Advisory non departmental public body (NDPB) to The National Archives

**Advisory Council on Public Records** - Advisory non departmental public body (NDPB) to The National Archives

**Advisory Panel on Public Sector Information** - Advisory non departmental public body (NDPB)

**Assessor for Compensation for Miscarriages of Justice** - Independent Body

**The Boundary Commission, Scotland** - Advisory non departmental public body (NDPB) to Scotland Office

**Civil Justice Council** - Advisory non departmental public body (NDPB)

**Civil Procedure Rule Committee** - Advisory non departmental public body (NDPB)

**Criminal Cases Review Commission** - Executive non departmental public body (NDPB)

**Criminal Procedure Rule Committee** - Advisory non departmental public body (NDPB)

**The Judicial Office** - Independent directorate comprising: the Judicial Communications Office; Family Justice Council; Civil Justice Council; Judicial College.

**Family Procedure Rule Committee** - Advisory non departmental public body (NDPB)

**Independent Monitoring Boards** - Advisory non departmental public body (NDPB)

**Insolvency Rules Committee** - Advisory non departmental public body (NDPB)

**Judicial Appointments and Conduct Ombudsman** - Independent statutory office

**Judicial Committee of the Privy Council** - Part of Ministry of Justice, reporting ministerially to the Lord President of the Council

**Northern Ireland Court Service (NiCtS)** - Separate Civil Service, which does not deliver services in Wales and consequently does not come within scope of the MoJ's Welsh language scheme

**Northern Ireland Judicial Appointments Commission** - Executive non departmental public body (NDPB) to Northern Ireland Court Service

**Northern Ireland Legal Services Commission** - Executive non departmental public body (NDPB) to Northern Ireland Court Service

**Office of the Chief Coroner** - Independent body

**Office of the Judge Advocate General** - Independent body

**Parliamentary Boundary Commission for England** - Advisory non departmental public body (NDPB)

**Prisons and Probation Ombudsman** - Ombudsman

**Privy Council Office** - Part of Ministry of Justice, reporting ministerially to the Lord President of the Council

**Scotland Office** - Office relating to devolved administrations, which does not deliver services to the public in Wales and consequently does not come with the scope of the MoJ Welsh language scheme

**Tribunal Rule Committee Advisory** - Non departmental public body

## Annex B - Welsh Language Board<sup>7</sup> scoring system for forms

**The purpose of this document is to offer a method which can be adopted by public bodies to assist them in deciding whether a bilingual or a Welsh version of the forms published by them should be prepared or not.**

*On occasions MoJ may work with one or other of its main delivery arms, or another Government Department to jointly produce forms or publications. Where a delivery arm or other Government Department has a Welsh language scheme with a stronger commitment, then the stronger commitment will prevail. For example, if it is a joint publication, or a publication on behalf of HMCTS, and if MoJ scores that a joint document or one prepared on behalf of HMCTS did not need to be prepared bilingually but the terms of the HMCTS scheme required that it should be, then the stronger commitment by HMCTS would be followed.*

Any body may or may not adopt this method – and adapt the following document in order to reflect the nature of their work.

The scoring system is not intended to be completely prescribed nor an inflexible method. To the contrary, it should be used to support the task of deciding on each form. Never the less, if you decide not to act in accordance with the scoring system, you should ensure that you can justify that decision.

Here is the system that can be adopted:

1. The number of copies to be printed in a year:

1 – 500:	score = 1
500 – 5,000:	score = 2
over 5,000:	score = 4
  
2. The target audience:

- the general public:	score = 15
- a particular sector of the public	score = 10
- individuals representing specific fields	score = 0
  
3. Will the form deal with a subject area or a part of Wales of particular interest with regard to Welsh? For example, work involving young people, the elderly, agriculture, education, sport or the arts – or will it be aimed exclusively at areas with a high percentage of Welsh speakers.

- yes:	score = 10
- no:	score = 0

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<sup>7</sup> The Welsh Language Board was abolished on 31 March 2012, as a result of the Welsh Language (Wales) Measure 2011 and many of the Board's responsibilities passed to the Welsh Language Commissioner.

4. For how long will the form be used? (Reprinting the form; small changes such as changing the year at the top of the form, or changing part of the form to reflect new rules, should not be considered as the end of the life cycle of the old version).

0 – 6 months:	score = 1
6 months – 2 years:	score = 2
over 2 years:	score = 4

5. Number of words in the form:

0 – 500:	score = 4
500 – 1000:	score = 3
1000 – 5000:	score = 2
over 5000:	score = 1

6. Number of pages in the form:

1 – 5:	score = 4
5 – 10:	score = 3
10 – 20:	score = 2
over 20:	score = 1

The score of all questions should be added – and compared with the following:

Decision on a **paper** version of the publication:

0 – 14:	there is no need to prepare a Welsh version
15 – 18	this score suggests that a Welsh version should be prepared, (but if not, a Welsh summary should be prepared instead)
over 18 :	a Welsh version needs to be prepared

Decision on an **electronic** version of the publication (to be included on the body's website etc). Please **ignore** questions 1 and 6 as you calculate this score:

0 – 11:	there is no need to prepare a Welsh version
12 to 14:	this score suggests that a Welsh version should be prepared, (but if not, a Welsh summary should be prepared instead)
over 14:	a Welsh version needs to be prepared.

## Annex C - Welsh Language Board<sup>8</sup> scoring system for publications.

The purpose of this document is to offer a method which can be adopted by public bodies to help them decide whether or not to publish material in Welsh, whether as bilingual documents or as separate Welsh and English versions.

*On occasions MoJ may work with one or other of its main delivery arms, or another Government Department to jointly produce forms or publications. Where a delivery arm or other Government Department has a Welsh language scheme with a stronger commitment, then the stronger commitment will prevail. For example, if it is a joint publication, or a publication on behalf of HMCTS, and if MoJ scores that a joint document or one prepared on behalf of HMCTS did not need to be prepared bilingually but the terms of the HMCTS scheme required that it should be, then the stronger commitment by HMCTS would be followed.*

Public bodies can adapt the following document to reflect the nature of their work.

The scoring system is not intended to be completely prescriptive or inflexible. On the contrary, it should be used to *help* with the task of deciding the way forward in each case. Even so, if a decision is taken not to act in accordance with the scoring system, organisations must be able to explain why.

The scoring document should be kept on file for each publication, as a record of the scoring process.

Here is the scoring system:

1. The number of copies to be printed each year *for use in Wales*:

1 – 500:	score = 1
500 – 5,000:	score = 2
over 5,000:	score = 4
  
2. The target audience (directly or indirectly<sup>9</sup>) or status<sup>10</sup>:

the general public (or high status):	score = 15
- a particular sector of the public (or medium status):	score = 10
- individuals representing specific fields (or low status):	score = 0

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<sup>8</sup> The Welsh Language Board was abolished on 31 March 2012, as a result of the Welsh Language (Wales) Measure 2011 and many of the Board's responsibilities passed to the Welsh Language Commissioner.

<sup>9</sup> For instance, a document may be issued by you to another public body, but with contents intended for them to pass on to the general public.

<sup>10</sup> For instance, will it be a key document, central to your relationship with your stakeholders in Wales? Or will it attract considerable media attention in Wales? The **highest** possible points should be awarded. For example, a document aimed at *individuals representing specific fields*, but with *high status*, should receive 15 points, not 0 points.

3. Will the publication be relevant to a subject area or a part of Wales of particular interest with regard to Welsh? For example, work involving young people, the elderly, agriculture, education, sport or the arts – or will it be aimed exclusively at areas with a high percentage, or number, of Welsh speakers.
- yes: score = 10  
- no: score = 0
4. For how long will the publication be used? (Reprinting the publication; small changes such as changing the year at the top of the publication, or changing part of the publication to reflect new rules, should not be considered as the end of the life-cycle of the old version). **However, if the publication is a consultation document**, this question should be ignored and question 7 answered instead (because of the special nature and status of those documents):
- 0 – 6 months: score = 1  
6 months – 2 years: score = 2  
over 2 years: score = 4
5. Number of words in the publication:
- 0 – 1000: score = 4  
1000 – 5000: score = 2  
over 5000: score = 1
6. Best estimate of number of pages *in a single language version* of the publication:
- 1 – 10: score = 4  
10 – 20: score = 2  
over 20: score = 1
7. (Question for **consultation documents only**). Dealing with a subject which is:
- Specialist / very technical: score 1  
Fairly complex but of interest to many: score 2  
Easy to understand / of general interest: score 4

The scores should be added – and compared with the following:

Decision on a **paper** version of the publication:

- 0 – 14 : there is no need to prepare a Welsh version  
15 – 18: this score suggests that a Welsh version should be prepared,  
(but if not, a Welsh summary should be prepared instead)  
over 18: a Welsh version needs to be prepared



Decision on an **electronic** version of the publication (to be included on the body's website etc). Please **ignore** questions 1 and 6 as you calculate this score:

- 0 – 11: there is no need to prepare a Welsh version
- 12 to 14: this score suggests that a Welsh version should be prepared, (but if not, a Welsh summary should be prepared instead)
- over 14: a Welsh version needs to be prepared.

Decision on publishing as a **bilingual** document, or as separate Welsh and English versions

The Welsh Language Board recommends that the starting point should be a presumption in favour of bilingual documents rather than separate Welsh and English versions. Providing bilingual material is easier administratively (in terms of stock management and distribution) than providing separate English and Welsh documents. It also has advantages in terms of meeting the needs of mixed-language families, other mixed audiences and learners. It also ensures that both versions of a document are equally accessible in any location – avoiding the need for Welsh speakers to choose between having to use the English version, or requesting the Welsh version and suffering delays as a consequence.

This is also true where a document is published by an organisation based outside Wales, for distribution in Wales and England. Again, the Board recommends that a bilingual version should be published for use in Wales (rather than publishing a separate supply of the document in Welsh).

Decisions may be taken, however, to publish a document as separate Welsh and English versions if cost and practicality make the issue of separate versions unavoidable. This could reflect the number of pages in the document (if preparing a bilingual version would make it too bulky and unwieldy).

For documents published as separate Welsh and English versions, which are distributed 'on demand' (in response to an advertising campaign, for instance) and where the predicted use of the document is low, it may be possible to justify publishing the Welsh language version on an organisations' website only. In these cases, the organisation should be prepared to arrange printing of a hard copy document, if requested by the public. This can be done in house, or arranged through professional printers specialising in small print runs.

This advice on publishing a document bilingually, or as separate Welsh and English versions, does not apply to documents published on an organisation's website. By its very nature, an electronic Welsh document will be as equally accessible as its English counterpart, whether published as a bilingual PDF document, or as separate Welsh and English versions.

Apart from the above, a publication entitled "a *Guide to Bilingual Design*" can be found via the Welsh Language Commissioner's website.

## Annex D - Ministry of Justice Welsh Language Scheme 2014

Action plan - for the Welsh language scheme (the section numbers in the table below follow the Scheme's sections):

Section	Action	Success Criteria	Responsible for Oversight (o) and Delivery (d)	Target Date
<b>1. Introduction</b>	No Action			
<b>2. Policy development and implementation</b>	<p><b>a)</b> Review guidance provided to MoJ corporate HQ staff on the WLS to check it remains relevant, meets their needs and is joined up with other guidance (such as on policy making or procurement).</p> <p><b>b)</b> Work with policy teams to introduce light-touch checks into policy development to ensure the Welsh language dimension is taken into account at the right time and in a proportionate way.</p> <p><b>c)</b> Work with business areas to consider how the WLS will impact on their annual work plan and to report annually on WLS-related work they have undertaken in the previous year, is currently ongoing, and expected to come up in the next year.</p>	Welsh language requirements embedded in the policy making process.	<p>Oversight for all the actions in section 2 is with Analytical Services Directorate(ASD)</p> <p>(d) Policy / MOJ Welsh Language Scheme Co-ordinators (MOJ WLS Co-ordinators)</p> <p>(d) Policy</p> <p>(d) Policy</p>	2(a) – (c) all ongoing

Section	Action	Success Criteria	Responsible for Oversight (o) and Delivery (d)	Target Date
<b>3. Recruitment</b>	Ensure Human Resources remain aware of MoJ's commitments in the WLS in relation to the recruitment of staff. <b>Judiciary:</b> <b>a)</b> Maintain the system set up within HMTCS to monitor the number of appointed Welsh speaking judges and their locations. <b>b)</b> Regularly consult the Judicial College to determine what guidance on training may be needed by the judiciary who hear cases in Wales in relation to the use of the Welsh language; <b>c)</b> Obtain a periodic report on the progress made in relation to the Lord Chancellor's reconsideration of the appointment of magistrates in Wales. <b>Staff:</b> <b>d)</b> Monitor and report on the progress made in moving to Civil Service Resourcing (CSR) e-recruitment system from summer 2014.	An effective system exists to monitor MoJ's recruitment of staff and appointment of judges to ensure that it meets its commitments made in the Welsh language scheme Court proceedings are held in Welsh effectively where required Consistent approach to the Welsh language in the recruitment of magistrates and judges	Oversight for all the actions in section 3 is with ASD (d) Human Resources (HR) (d) HMCTS (d) Judicial College (d) HMCTS / Magistrates advisory committees	Ongoing Ongoing Ongoing March 2015
		New e-recruitment system complies with Welsh Language Commissioner's requirements - and the necessary legislation.	(d) HR Resourcing	Sept 2014-March 2015
	<b>4. Provision of Services to the public</b>			
<b>4.1 General</b>	<b>No action</b>		Oversight for all the actions in section 4 is with ASD	

Section	Action	Success Criteria	Responsible for Oversight (o) and Delivery (d)	Target Date
<b>4.2 Correspondence</b>	a) i) Remind MoJ corporate HQ business areas conducting operations in Wales of the need to advertise that they are willing to accept and deal with correspondence in Welsh - e.g. such as specifically in any published document or material affecting Wales;	No complaints from customers in Wales that clarity was lacking regarding acceptance of Welsh correspondence.	(d) MoJ Correspondence Unit (and the active business area)	Ongoing
	ii) Re-issue guidance to staff on options for translating documents and correspondence into Welsh.		(d) MoJ Correspondence Unit	Nov 2014
	b) Maintain current monitoring arrangements to enable separate monitoring of the response times for Welsh and English language Ministerial and "Treat Official" correspondence.	Welsh correspondence is responded to in Welsh within the same timescales as other correspondence	(d) MoJ Correspondence Unit	Ongoing
<b>4.3 Telephone calls</b>	<b>a) Telephone Calls:</b> Investigate with the Welsh Language Unit (WLU) the possibility of diverting calls directed to MoJ HQ to the WLU for those callers wanting to converse in Welsh.	Welsh speakers will have calls answered in Welsh at first contact but the main query will have to be redirected to MoJ by the WLU for final answer in writing.	(d) Information and Communication Technology (ICT) / Welsh Language Unit (WLU)	Ongoing Dec 2014
<b>4.4 Events</b>	<b>a)</b> Issue guidance to help MoJ corporate HQ staff to understand the issues they need to consider under the WLS when holding events in Wales.	No complaints received about failure to facilitate the use of Welsh or provision of Welsh translations at events in Wales	(d) MoJ WLS Co-ordinators /	Issue reminder November 2014
<b>4.5 - 4.6 Corporate identity</b>	<b>a)</b> The Departmental Communications and Publications Teams will continue to monitor, record and report annually on the use of Welsh by MoJ's Press Office and publications branch.	Consistency in the way the Welsh language is used.	(d) Corporate Communications Team (Comms)	Ongoing

Section	Action	Success Criteria	Responsible for Oversight (o) and Delivery (d)	Target Date
<b>4.7 - 4.13 Publications and Forms</b>	a) Monitoring as in 4.5 – 4.6 (a) above	Consistency in the way the Welsh language is used.	d) Comms	Ongoing
	b) Raise awareness of staff on when to consider issuing bilingual or both Welsh and English language documents, publications and publicity material – through reference to the scoring systems at Annexes B and C of the scheme	All documents produced in both Welsh and English versions are produced to the same standard and to the same timescale.	(d) MoJ WLS Co-ordinators	Ongoing
<b>4.14 - 4.17 Press notices, Publicity Campaigns &amp; advertising; Official &amp; Public notices.</b>	a) Monitoring as in 4.5 – 4.6 (a) above	Consistency in the way the Welsh language is used.	(d) MoJ WLS Co-ordinators	Ongoing
<b>4.18 - 4.22 Website, Administrative arrangements</b>	a) MoJ will continue to provide publications in Welsh where required. b) MoJ WLS Co-ordinators will receive periodic confirmation from their business areas (ALB's and delivery arms) regarding progress in placing their necessary Welsh translations on internet pages.	Reduced complaints regarding lack of Welsh content for relevant corporate documents	(d) Comms / Web publications Team (d) MoJ WLS Co-ordinators	<b>March 2015</b>
<b>4.23 – 4.26 Services delivered on behalf of MoJ by other parties</b>	a) Issue guidance to help MoJ corporate HQ staff to understand the implications of the WLS if they are procuring services from third parties; b) Introduce checks into procurement processes, to ensure the Welsh language dimension is taken into account at the right time. The HMCTS Delivery Director for Wales, who is the MoJ's Key holder for Welsh language issues, can be consulted for guidance as appropriate.	Staff are aware regarding arrangements to include Welsh language considerations in 3 <sup>rd</sup> party contract agreements	For actions (a) and (b) delivery responsibilities lie with: MoJ Procurement team / the active MoJ business area or Policy teams as appropriate	4.23 – 4.26 (a) and (b) – b) all ongoing actions for business delivery areas

Section	Action	Success Criteria	Responsible for Oversight (o) and Delivery (d)	Target Date
<b>4.27 Allocation of grants</b>	<b>a)</b> Continuing to ensure that MoJ Third Sector team is aware of the provision under Section 4:28 of this scheme relating to the allocation of grants	Grants are awarded in accordance with the commitments made in this scheme	(o) ASD (d) Third sector team	Nov 2014
<b>5. Implementing, Monitoring and Reporting on the WLS</b>	<p><b>a)</b> Co-ordinate implementation of the revised Welsh language scheme (WLS), including:</p> <ul style="list-style-type: none"> <li>- Publish the revised scheme on the MoJ website and issue a press release;</li> <li>- Publicise the revised scheme to MoJ corporate HQ staff and issue guidance to help them to understand and meet any requirements.</li> </ul> <p><b>b)</b> Remind MoJ corporate HQ staff each year on the WLS and their responsibilities, providing greater support to business areas most affected (e.g. holding WLS awareness workshops or incorporate into existing policy training sessions).</p>	<p>Policies, initiatives and services to be consistent with commitments made in the WLS</p> <p>Welsh language requirements embedded in the policy making process.</p>	<p>(o) ASD (d) Comms</p> <p>(o) ASD (d) Comms</p>	5(a) - (e) all ongoing

Section	Action	Success Criteria	Responsible for Oversight (o) and Delivery (d)	Target Date
	<p><b>c)</b> Where MoJ enters into arrangements with third parties it will include the monitoring of arrangements concerning use of the Welsh language alongside other monitoring requirements.</p> <p><b>d)</b> Monitor service providers who are under a duty to provide their services in Welsh ensuring that specifications comply with the requirement of this scheme.</p> <p><b>e)</b> MoJ corporate HQ teams business areas that use agents or contractors to deliver services to the public in Wales will be required to monitor and report annually on the agents' or contractors' compliance with the Welsh language terms of their agreements or arrangements.</p>	<p>Staff have arrangements in place to monitor service providers compliance with Welsh language arrangements contained in contract agreement</p> <p>Agents or contractors monitor and report on their compliance with the Welsh language arrangements contained in the contract or agreement.</p>		

## Questionnaire

We would welcome responses to the following questions set out in this consultation paper. You may respond by completing an electronic copy of this form or alternatively this form may be completed in hard copy. See page 45 for more details

Please use the following questionnaire to respond to this consultation. The proforma addresses each section of the MoJ revised Welsh language scheme (this scheme) seeking your views. **1. Section 1: Introduction**

1.1 Do you agree that MoJ should have a Welsh language scheme

Yes / No

Any further comments?

1.2 Please make any comments on whether MoJ should have a Welsh language scheme.

### **2. Section 2: Policy Development and Implementation**

2.1. Do you agree with the Policy development and implementation section of this scheme

Yes / No

Any further comments?

2.2. Please make any comments on how the MoJ's proposes to approach the assessment of the impact of policies on Welsh speakers in Wales.

### **Section 3: Recruitment**

3.1. Do you agree with the Recruitment section of this scheme

Yes / No

Any further comments?

3.2 Please make any comments on how the MoJ proposes to ensure that our recruitment processes recognises and takes account of the use of the Welsh language.

### **4. Section 4: Provisions of Services to the Public**

4.1. Do you agree with the Provisions of Services to the Public section of this scheme

Yes / No

Any further comments?

4.2. Please make any comments on how the MoJ proposes to ensure that our provisions of services to the public, a) take account of, and, b) allow flexibility in the use of the Welsh language.



**Section 5: Implementing, Monitoring and Publishing this scheme**

5.1. Please make any comments on how the MoJ proposes to implement, monitor and report on this scheme.

Section 6.1: If you have any general comments regarding this scheme please state these below.

6.2 What other key issues would you like the MoJ to consider / address relating to this Welsh language scheme

**Thank you for participating in this consultation exercise.**

## About you

Please use this section to tell us about yourself

<b>Full name</b>	
<b>Job title</b> or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
<b>Date</b>	
<b>Company name/organisation</b> (if applicable):	
<b>Address</b>	
<b>Postcode</b>	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

**If you are a representative of a group**, please tell us the name of the group and give a summary of the people or organisations that you represent.

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## Contact details/How to respond

Please send your response by 3 December 2014 to:

**By email: [MOJWLSrevision@justice.gsi.gov.uk](mailto:MOJWLSrevision@justice.gsi.gov.uk)**

**By post:**

Aeion Swinton  
Ministry of Justice  
Analytical Services Directorate, Better Regulations  
7<sup>th</sup> Floor  
102 Petty France  
London SW1H 9AJ

**Tel:** 0203 334 3904

**Email:** [Aeion.Swinton@justice.gsi.gov.uk](mailto:Aeion.Swinton@justice.gsi.gov.uk)

### Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Ministry of Justice at the above address.

### Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available on-line at <http://www.gov.uk/moj/index.htm>.

Alternative format versions of this publication can be requested by email from **[MOJWLSrevision@justice.gsi.gov.uk](mailto:MOJWLSrevision@justice.gsi.gov.uk)** and by telephone from the Better Regulations Unit of MoJ on 0203 334 3904.

### Publication of response

A paper summarising the responses to this consultation will be published by summer 2015. The response paper will be available on-line at <http://www.gov.uk/moj/index.htm>.

### Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

### Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

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## **Consultation principles**

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<http://www.cabinetoffice.gov.uk/sites/default/files/resources/Consultation-Principles.pdf>





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