



Gweinyddiaeth
Cyfiawnder

Ministry
of Justice

Ministry of Justice Welsh Language Scheme

2020-21 Annual Monitoring Report
to the Welsh Language Commissioner

November 2021



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Introduction

This report covers the period from 1 April 2020 to 31 March 2021 and is a self-assessment of how the Ministry of Justice (MoJ) has continued to deliver its commitments under its [2018 Welsh Language Scheme](#) (the MoJ Scheme) during this period.

The MoJ Scheme sets out how MoJ gives effect to the principle in Section 5 of the Welsh Language Act 1993 that, in the conduct of public business and the administration of justice in Wales, the English and Welsh languages should be treated on a basis of equality. It enables everyone who receives a service from the MoJ in Wales, or who communicates with us, to do so through the medium of English or Welsh, according to their personal choice.

The MoJ Scheme is a corporate scheme that covers policy development, recruitment and delivery of services to the public within MoJ's corporate headquarters.

MoJ has five Executive Agencies (EAs) responsible for the delivery of the majority of our services to the public. Each of our EAs has their own Welsh Language Scheme (WLS) that achieves either an equal or greater provision of Welsh language services than the MoJ Scheme. Since each EA also reports annually to the Welsh Language Commissioner (WLC), the detail of this information is not repeated here unless it is of relevance to corporate MoJ Scheme reporting.

Summary of achievements

Achievements for 2020-21 include:

- Key MoJ consultations being available in Welsh from the MoJ Consultation Hub on our 'corporate' GOV.UK pages and from the 'mainstream' pages of GOV.UK
- Oleo, the e-recruitment system has advertised 190 campaigns where the Welsh language is highlighted.
- Strengthened Welsh language provision in the new MoJ Languages contract specification.
- HMCTS recorded 449 cases in the reporting year where Welsh was used.
- Welsh-speaking Registered Intermediaries continue to operate across every Welsh police force area.
- MoJ's Welsh landing page for our website can be accessed here: <https://www.gov.uk/government/organisations/ministry-of-justice.cy>
- The Magistrates recruitment landing page was launched in Welsh.
- The continued operation of a widened virtual MoJ Welsh Language Co-ordinators Group that meets biannually and covers the full breadth of MoJ's business areas.

- MoJ continues to support the Welsh Government funded Work Welsh programme which offers Welsh language courses for staff.
- In support of the success of our Welsh Impact Test for policy officials, the HMCTS Welsh Language Unit translated over 50 corporate policy documents.

Progress on the Action Plan

An update on our progress in delivering our ongoing relevant Welsh Language Scheme actions is set out below to help demonstrate our compliance.

1. Policy development and Implementation

Success criteria:

- Improvements in staff awareness; with WLS requirements considered in the policy making and procurement process.*
- Policy, analyst and legal staff consistently consider Welsh language implications in policy development and consultations.*

MoJ consultations

During the 2020-21 reporting period MoJ carried out a number of consultations in Welsh and published responses in Welsh as follows:

Independent review of criminal legal aid: Call for Evidence

The consultation was translated in full (March 2021) and is available on the corporate MoJ consultation hub and mainstream GOV.UK site.

Increasing selected court fees and Help with Fees income thresholds by inflation.

The consultation was translated in full (March 2021) and is available on the corporate MoJ consultation hub and mainstream GOV.UK site.

The Independent Review of Administrative Law

The Review was translated in full (March 2021) and is available on the mainstream GOV.UK site.

Judicial Review: proposals for reform. The Government Response to the Independent Review of Administrative Law.

The consultation was translated in full (March 2021) and is available on the corporate MoJ consultation hub and mainstream GOV.UK site.

Reforming the Mental Health Act. A White Paper, in conjunction with the Department for Health and Social Care was translated in full and is available on GOV.UK (January 2021).

Criminal Legal Aid Review: An accelerated package of measures amending the criminal legal aid fee schemes

Executive summaries of the consultation (December 2020) and the Response were translated (April 2021) and are available on the corporate MoJ consultation hub and mainstream GOV.UK site.

Independent Human Rights Act Review. The Call for Evidence was translated in full (December 2020) and is available on the mainstream GOV.UK site.

Proposal for reform: Alignment of the Fees for Online and Paper Civil Money and Possession Claims

The consultation (November 2020) and the Response (March 2021) were translated in full and are available on the corporate MoJ consultation hub and mainstream GOV.UK site.

Non contentious probate: mandating online professional applications

An executive summary of the Response was translated (September 2020) and is available on the mainstream GOV.UK site.

Judicial Mandatory Retirement Age

Executive summaries of the consultation (July 2020) and the Response (March 2021) were translated and are available on the corporate MoJ consultation hub and mainstream GOV.UK site.

Criminal Injuries Compensation Scheme Review 2020

The consultation was translated in full (July 2020) and is available on the corporate MoJ consultation hub and mainstream GOV.UK site.

Criminal Legal Aid Review: An accelerated package of measures amending the criminal legal aid fee schemes

Executive summaries of the consultation (February 2020) and the Response (August 2020) were translated and are available on the corporate MoJ consultation hub and mainstream GOV.UK site.

MoJ / Welsh Government Concordat

As reported previously, the Concordat between the MoJ and the Welsh Government sets out the working level relationships between the Welsh Government and the MoJ. It covers arrangements for consultation and co-operation between the bodies, covering exchanges of information (including the terms on which information is shared), justice impacts, access to services, resolution of disputes and review of relations. The [Concordat](#), dated 25 June 2018, was published in English and Welsh. It represents an important step forward for improved working practices, intergovernmental relations, and justice outcomes for both administrations.

Welsh Language speakers

As previously reported, MoJ was also one of the first six government departments to corporately sign up to the Welsh government's Work Welsh (WW) programme aimed at improving the Welsh language skills of our staff in Wales. Building on HMCTS being early adopters of WW, we recognise the importance of integrating the Welsh language into MoJ's business activities impacting on Wales for our corporate functions as well as our operational service delivery.

This year saw the launch of the Civil Service Welsh Network. For more information, contact cslocalcymruwales@cabinetoffice.gov.uk. It recognises that meeting of the Welsh Government's target of 1M speakers by 2050 can usefully include renewing the association between Welsh language and the workplace.

2. Recruitment

Success criteria:

- a) *An effective system exists to monitor MoJ's recruitment of staff and appointment of judiciary to ensure that it meets its commitments made in the Welsh Language Scheme.*
- b) *Court proceedings are held in Welsh where required.*
- c) *Consistent approach to the Welsh language in the recruitment of magistrates and judges.*

d) *New recruitment system complies with Welsh Language Commissioner's requirements and legislation.*

Staff

Success criteria: a) *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.* d) *New recruitment system complies with Welsh Language Commissioner's requirements and legislation.*

We have advertised 190 campaigns where the Welsh Language Scheme is mentioned and in which the language requirements state that Welsh language is desirable or essential. There have been 411 posts filled within these campaigns where the Welsh language is desirable or essential. We have appointed 55 Welsh speakers to posts where there was a requirement for the Welsh language.

Court proceedings

Success criteria: b) *Court proceedings are held in Welsh effectively where required.*

The effective identification and subsequent recruitment of Welsh-speaking judges and magistrates enables court proceedings to take place in Welsh when required. During the reporting year HMCTS recorded 449 cases where Welsh was used. The total is broken down as follows: Crown Courts 8, Court of Appeal (sitting in Wales) 1, Magistrates' Courts 90, Magistrates Court non-appearance Single Justice Procedure (SJP) 159, County Courts 191, Tribunals 0.

NB. The 159 SJP cases are where a Justice of the Peace and a Legal Adviser deal with the case. They are motoring cases and usually the defendant has pleaded guilty but has requested Welsh documents or pleaded guilty using the online Make a Plea portal.

The judiciary

Success criteria: c) *Consistent approach to the Welsh language in the recruitment of magistrates and judges.*

The following selection exercises identified vacancies in Wales that had an essential Welsh language requirement:

Recorder: Welsh language was an essential requirement for two posts in the selection exercise for Recorder. The national exercise launched on 23 July 2019 with 121 vacancies across England and Wales. 121 candidates were recommended with nine candidates recommended as suitable for appointment to Welsh posts, including one candidate for a Welsh language role.

The following selection exercises identified vacancies in Wales that did not have a Welsh language requirement but tested candidates' understanding of the administration of justice in Wales:

District Judge: The exercise for District Judges launched on 9 October 2019 with 75 vacancies with one post in Wales. Those candidates who were interested in a Welsh post were assessed on their understanding of the administration of justice in Wales. 24 candidates were recommended, with no candidates recommended as suitable for appointment for the Welsh post.

Deputy Chairman of the Agricultural Lands Tribunal for Wales: The exercise for Deputy Chairmen of the Agricultural Lands Tribunal for Wales launched on 14 November 2019 with two vacancies,

both based in Wales. All candidates were assessed on their understanding of the administration of justice in Wales. Two candidates were subsequently recommended as suitable for appointment.

Senior Circuit Judge, Designated Family Judge: The exercise for Senior Circuit Judge, Designated Family Judge was launched on 21 January 2020 with six vacancies, one based in Wales. Those candidates who were interested in the Welsh post were assessed on their understanding of the administration of justice in Wales. Six candidates were recommended overall, with one candidate recommended as suitable for appointment to the Welsh post.

Circuit Judge: The exercise for Circuit Judge was launched on 25 February 2020 with 63 vacancies across England and Wales. Those candidates who were interested in the Welsh posts were assessed on their understanding of the administration of justice in Wales. 53 candidates were recommended overall, with six candidates recommended as suitable for appointment to Welsh posts.

Judge of the First-tier Tribunal: The exercise for Judges of the First-tier Tribunal launched on 31 March 2020 with 70 vacancies (50 immediate and 20 future) across England and Wales in all First-tier Tribunal chambers. Those candidates who were interested in a Welsh post were assessed on their understanding of the administration of justice in Wales. 70 candidates were recommended, with four candidates recommended as suitable for appointment to Welsh posts

Judge of the Employment Tribunal: The exercise for Judges of the Employment Tribunal launched on 20 May 2020 with 25 vacancies across England and Wales. Those candidates who were interested in a Welsh post were assessed on their understanding of the administration of justice in Wales. 21 candidates were recommended with two candidates recommended as suitable for appointment to Welsh posts.

Senior Circuit Judge, Resident Judge (Cardiff and Winchester): The exercise for Senior Circuit Judge, Resident Judge (Cardiff and Winchester) launched on 26 May 2020 with two vacancies, one for Cardiff and one for Winchester. Those candidates who were interested in the Cardiff post were assessed on their understanding of the administration of justice in Wales. No candidate was recommended for the Cardiff post, with one candidate recommended for the Winchester post. The Cardiff post will be re-advertised in 2021-22.

Fee-Paid Legal Chair of the Residential Property Tribunal for Wales: The exercise for Fee-Paid Legal Chair of the Residential Property Tribunal for Wales launched on 3 September 2020 with nine vacancies, all based in Wales. All candidates were assessed on their understanding of the administration of justice in Wales. Nine candidates were subsequently recommended as suitable for appointment.

Regional Employment Judge (Wales and Midlands): The exercise for Regional Employment Judge (Wales) launched on 16 November 2020 with two vacancies with one post in Wales. Those candidates who were interested in the Welsh post were assessed on their understanding of the administration of justice in Wales. One candidate was recommended as suitable for appointment to the Welsh post and one candidate for the Midlands (West) post.

The following selection exercises identified vacancies in Wales that did not have Welsh language requirements, and did not test candidates' knowledge of the administration of justice in Wales:

Fee-Paid Medical Members of the First-tier Tribunal, Social Entitlement Chamber: The exercise for Fee-Paid Medical Members had up to 203 vacancies and launched on 6 November 2019. This is a specialised role with specific eligibility requirements and knowledge requirements. In light of the eligibility criteria and knowledge required for the role, the JAC decided that additionally testing

candidates' knowledge of the administration of justice in Wales would not add further value to the selection process; the JAC selected 202 candidates.

Fee-Paid Specialist Member of the Upper Tribunal assigned to the Administrative Appeals Chamber (Disclosure and Barring jurisdiction) and First-tier Tribunal Health, Education and Social Care Chamber (Care Standards jurisdiction): The exercise for Fee-Paid Specialist Members had 10 vacancies and launched on 18 February 2020. This is a specialist role which required detailed knowledge and restrictive eligibility criteria. In light of the experience and knowledge required for the role, the JAC decided that additionally testing candidates' knowledge of the administration of justice in Wales would not add further value to the selection process; the JAC selected 10 candidates.

Fee-Paid Disability Qualified Tribunal Members of the First-tier Tribunal, Social Entitlement Chamber (Social Security and Child Support Appeals Tribunal): The exercise for Fee-Paid Disability Qualified Members had up to 80 vacancies, with up to six posts in Wales and launched on 11 March 2020. This is a specialised role with eligibility for candidates to have knowledge of disability matters or to be disabled themselves. In light of the criteria required for the role, the JAC decided that additionally testing candidates' knowledge of the administration of justice in Wales would not add further value to the selection process; the JAC selected 80 candidates.

Fee-Paid Financial Members of the First-tier Tribunal, Social Entitlement Chamber: The exercise for Fee-Paid Financial Members had 17 vacancies, two based in Wales and launched on 24 March 2020. This is a specialised role with restricted eligibility criteria. In light of the eligibility criteria and the knowledge required for the role, the JAC decided that additionally testing candidates' knowledge of the administration of justice in Wales would not add further value to the selection process; the JAC selected 12 candidates.

Land Owner Lay Members of the Agricultural Lands Tribunal for Wales: The exercise for Land Owner Lay Members had three vacancies, all based in Wales and launched on 27 May 2020. This is a specialised role with a specific eligibility requirement. In light of the experience and knowledge required for the role, the JAC decided that additionally testing candidates' knowledge of the administration of justice in Wales would not add further value to the selection process; the JAC selected one candidate.

Section 83 of the Government of Wales Act 2006 allows the Welsh Government to seek assistance from other public bodies. The JAC assisted the Welsh Government for the following exercise:

Fee-Paid Education Panel Members for the Special Educational Needs Tribunal for Wales (SENTW): The exercise for Fee-Paid Education Panel Members for the SENTW was launched on 15 October 2019 with six vacancies. There was a need for one candidate to conduct hearings in Welsh. However, none of the five candidates recommended to the role spoke Welsh at a level which enabled them to conduct hearings in Welsh¹.

N.B. Although selection exercises typically started prior to the reporting year, the outcome of the exercises were reported to Judicial Office during the reporting year. This mirrors the approach followed in the Judicial Appointments Commission Annual Report.

¹ This exercise was erroneously included in the 2019-20 report but has been included here for accuracy as the exercise has been reported in the 2020-21 reporting year.

Judicial College

The Judicial College Board is supported by the dedicated Wales Training Committee. The Committee was chaired until January 2021 by the Presiding Judge of Wales, Mr Justice Picken, and since 12 January 2021 by Mr Justice Griffiths. An important part of the Committee's remit is to liaise with HMCTS Wales on the provision for Welsh language training for the judiciary who sit in Wales. This ensures the Judicial College complies with the requirements of legislation relating to the Welsh language. The Wales Training Committee also works closely with the Judges Council Committee on Wales, which is chaired by the Lord Chief Justice.

The Wales Language Seminar is run biennially under the auspices of the Wales Training Committee. The event is provided to assist judicial Welsh language speakers of all levels. The last seminar, in March 2019, however the intended event which was for to be held in 2021 could not go ahead. The delayed event is now being planned for March 2022 within North Wales.

The Judicial College produces three e-bulletins each year which assess the progress of devolved law and provides information which is available to all the judiciary of England and Wales. The bulletin is produced in both Welsh and English. The separate area for Wales on the College's digital Learning Management System (LMS) has dual language options where appropriate and practical, with some library material now available in Welsh. In addition, the Judicial College has produced e-learning modules on intercultural communications, which also covers certain Welsh language issues and is available to all judicial office-holders at any time in the LMS.

Advisory Committees and appointments to the Magistracy

In the year 2020-2021 the Lord Chancellor's Advisory Committees in Wales identified a need to recruit justices to be able to communicate through the medium of the Welsh Language across all the Local Justice Areas in Wales with a particular need across Dyfed Powys and North Wales. In that area the Advisory Committee appointed 4 Welsh speaking justices to the adult court. In the remainder of Wales, a further 1 Welsh speaker was appointed. All of these applicants were tested at interview through the medium of Welsh. All interviews occurred remotely via Microsoft Teams.

The Judicial Deployment tool is used to ascertain the number of justices required. This takes into account the number of retirements, expected resignations per area and the planned number of court sittings. From this data the percentage of Welsh speakers is set. In addition to this the number of cases where Welsh is spoken in part or full during a court hearing is also collated.

In the year 2020-2021 33% of vacancies in North West Wales and North Central Wales were advertised with an 'essential' criteria for Welsh speaking candidates. For North East Wales, Carmarthenshire and Ceredigion & Pembrokeshire 20% of vacancies were advertised with an 'essential' criteria for Welsh speaking candidates. For Montgomeryshire all vacancies were advertised with a 'desirable' criteria for Welsh speaking candidates. Whilst no percentages were set across the South Wales areas it was highlighted that Welsh speaking candidates were strongly encouraged to apply.

The Lord Chancellor's Advisory Committees have identified that recruitment of Welsh speaking Justices in North West Wales-Anglesey/Gwynedd and South West Wales-Ceredigion/Carmarthenshire as an area of concern. Over the last 3 years there has been a lack of Welsh speaking applicants against the number of identified vacancies. This has been raised both at a regional level (through the Welsh Language Standing Committee) and nationally. Furthermore, the issue is on the risk register. We have looked to see how we can target more applications from Welsh speakers by highlighting the need and focusing the campaigns in those areas.

Registered Intermediaries

Throughout 2020-2021 the MoJ ensured the Witness Intermediary Scheme (WIS) met rising demand for its services and adapted to pressures relating to the Covid-19 pandemic. The Scheme successfully sustained record numbers of requests over this period, with Registered Intermediaries (RIs) assisting in over 7,100 cases; nearly 500 of which were within Wales police force areas (PFAs).

Welsh-speaking RIs continue to operate across every Wales PFA; there are currently four Welsh-speaking RIs in the Scheme, and 57 RIs that accept cases in Wales. Demand for RIs in Wales is routinely monitored and the MoJ has taken action to ensure specific requests for Welsh-speaking RIs are recorded and that data on Welsh-speaking RI usage is available on request. The NCA received 484 RI requests in Wales in 2020/21, with 98% of these requests successfully matched. Two (0.4%) requests were not matched and seven (1.4%) were cancelled. Four requests were made for Welsh-speaking RIs, all of which were matched; two were matched to a Welsh-speaking RI and the remaining two were matched to a non-Welsh-speaking RI with the aid of a Welsh-language interpreter. Our recruitment strategy continues to prioritise regions where our evidence shows RIs are needed most. Welsh-language skills are taken into consideration and we are committed to exploring ways to maximise the availability of Welsh-speaking RIs.

To further enhance Welsh-language accessibility within the Scheme, we intend to review the existing request for service forms (through which RIs are obtained) to ensure they fully highlight the availability of Welsh-language RI services. We have also made Welsh-language versions of WIS annual reports and the latest iteration of the RI Procedural Manual available to view online. Going forward, the MoJ will continue to assess how the WIS can best serve the needs of Welsh-speaking victims and witnesses. We will report further on our work to support the wider development of the Welsh-language within the Scheme.

3. Provision of services to the public

Correspondence

Success criteria:

- a) *No complaints from customers in Wales that clarity was lacking regarding the handling of Welsh correspondence.*
- b) *Documents translated into Welsh appropriately.*
- c) *Welsh correspondence is responded to in Welsh within the same timescales as other correspondence*

During the reporting period 2020-2021, the MoJ's Ministerial Correspondence and Support Team received no correspondence in Welsh, either online or in hard copy. Officials continue to monitor levels of Welsh correspondence received by the Ministerial Correspondence and Support Team and staff have been reminded to record any correspondence received in Welsh on the database. This includes hard copy correspondence sent by post or electronic correspondence by email. Correspondence staff across the department have also been reminded that any correspondence received in Welsh should be replied to in Welsh.

Telephone calls

Success criteria:

Welsh speakers will have calls answered in Welsh at first contact.

The Public Enquiry Team (which is part of a wider Shared Services call centre based in South Wales) handles the MoJ Public Enquiry Line (PEL) for calls from people calling the MoJ only. Calls received are mainly from people wanting to be put through to someone in 102 Petty France London Headquarters such as HMCTS, Coroners Unit or press office. These calls are from the general public or external stakeholders including other government departments.

The operators on the PEL switchboard do not provide advice or MoJ information other than transferring callers through to the appropriate party or providing email details for functional mail boxes. Calls received by the PEL team are via a London number. MoJ does not advertise any language options to callers; however, should someone call and wish to speak only in Welsh, the PEL can accommodate the request as the wider Shared Services call centre team has 20 fluent Welsh speakers.

During the period of this report there has not been a caller who has tried to communicate with MoJ in Welsh. Also, during this period MoJ did not receive any complaints about the lack of a more formal Welsh language option.

Events

Success criteria:

No complaints received about failure to facilitate the use of Welsh or provisions of Welsh translations at events in Wales.

MoJ does not hold central records of events held across the business regarding meetings in Wales where specific arrangements were made to facilitate the use of the Welsh language. There is guidance on the MoJ intranet to help staff with identifying translation needs and facilities for meetings and events with the public in Wales.

Corporate identity

Success criteria:

Consistency in the way the Welsh language is used.

During the period of this report, MoJ's Corporate Communications Team has been operating in its business-as-usual capacity for Welsh language activities. MoJ's central design team - design102 - uses the HMCTS Welsh Language Unit for all translations required by MoJ business areas. The MoJ brand guidelines provide advice on using the Welsh and bi-lingual versions of the MoJ logo.

Publications and forms

Success criteria:

- a) Consistency in the way in which the Welsh language is used.*
- b) All documents produced in both Welsh and English versions are produced to the same standard and to the same timescale where deadlines permit.*

When MoJ's design team, design102, designs a document in English which requires a Welsh translation, design102 will provide the artwork files to the HMCTS Welsh Language Unit, enabling them to format the Welsh version in the same style. Due to the late sign-off and frequent last-minute changes and iterations of some English documents, it is not always possible to produce both Welsh and English versions simultaneously, although the Welsh version is published as quickly as possible thereafter (and certainly within 10 working days under our Welsh Language Scheme). All documents produced in both Welsh and English are produced to the same standard.

HMCTS Welsh Language Unit

The HMCTS Welsh Language Unit (WLU) undertakes the majority of our corporate translations. From 1 April 2020 to 31 March 2021 the WLU and Cymen translated 49 corporate documents for MoJ HQ at a cost of £33,940.

Press notices, publicity campaigns and advertising, official and public notices

Success criteria:

Consistency in the way in which the Welsh language is used.

HMCTS own a lot of our content on GOV.UK. HMCTS translates everything that is relevant to Wales or the Welsh language. They translate news, blogs and the guidance/publications we publish where there is a user need.

For example, this year most of their coronavirus content has been translated into Welsh: [Coronafeirws \(COVID-19\): arweiniad i'r llysoedd a'r tribiwnlysoedd - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/coronafeirws-covid-19-arweiniad-i-r-llysoedd-a-r-tribiwnlysoedd)

Digital services, website and information

Success criteria:

- a) *Reduced complaints regarding lack of Welsh content for relevant corporate documents.*
- b) *Availability of appropriate Welsh content for our policies and publications.*
- c) *MoJ's IT systems include Welsh language capability.*
- d) *Prepare a Welsh language version of our GOV.UK homepage.*

MoJ is responsible for deciding which 'departmental and policy' content on GOV.UK needs translating, arranging high-quality translation, and keeping the Welsh content accurate and up to date.

MoJ's Welsh landing page for our website can be accessed here: <https://www.gov.uk/government/organisations/ministry-of-justice.cy>

Our Welsh home page is on GOV.UK with our associated 'corporate' pages, which have also been translated into Welsh.

We have made a change recently in how we manage translated publications on GOV.UK – this has meant that we upload translations in a different way, making them more accessible and easier to find. In short, instead of adding a Welsh document to an English page of content, the Welsh version will have its own page. Here are some examples showing a full Welsh version of the page with both the English and Welsh documents on it. Previously this functionality was only available on a small number of templates. but it is now available on publications:

For example:

Concordat on women in or at risk of contact with the criminal justice system (January 2021)
<https://www.gov.uk/government/publications/concordat-on-women-in-or-at-risk-of-contact-with-the-criminal-justice-system.cy>

Integrated Offender Management strategy: Joint Ministry of Justice and Home Office strategy to refresh Integrated Offender Management (December 2020).

<https://www.gov.uk/government/publications/integrated-offender-management-strategy.cy>

Independent Monitoring Authority Welsh language Statement (November 2020)
Welsh Language Statement - Independent Monitoring Authority for the Citizens' Rights Agreements (ima-citizensrights.org.uk)

We have Welsh language branding on stationery, reports, logos and electronic communications effectively in terms of user needs and demand.

MoJ Technology takes the following position on Welsh language technology:

- as we develop and deliver new IT systems and products or update old ones, we will assess the linguistic requirements in respect of services provided to the public in Wales;
- we will promote and facilitate the use of Welsh so far as it appropriate in the circumstances and reasonably practical;
- when we develop or procure MoJ Technology systems we will take into account the Welsh Language Commissioner's Bilingual Software Guidelines and Standards;
- responsibility for the content of IT platforms (as opposed to the associated technology) belongs to the relevant business area.

These principles are applied whenever the MoJ transitions to new contracts. MoJ Digital and Technology is always willing to consider any specific requirements of the Welsh Language Unit.

Services delivered on behalf of the MoJ by other parties

Success criteria:

Staff are aware regarding arrangements to include Welsh language considerations in third party contract agreements.

MoJ current standard contract terms and conditions include clauses that require suppliers to comply with the Welsh Language Act 1993 and the Welsh Language Scheme 'as if they were the Authority'.

Interpreter and Translation Services Contract:

The language services contracts continue to provide for Welsh interpreting and translation in the same way as all other languages are provided for. The Welsh language was included in the specification for each of the contracts as one of the languages for which the suppliers are required to provide language professionals. Close collaboration between the contracts team, the corporate Welsh Language team and the WLU during the tendering process ensured the new MoJ Languages contract specification includes appropriate lines and detail on the Welsh language and Welsh Language Scheme.

Three specific clauses were included in the contract specification, namely that: i) the supplier needs to comply with the Welsh Language Act and the MoJ Welsh Language Scheme as if it was the Authority in provision of its deliverables; ii) MoJ corporate expects to use the HMCTS Welsh Translation Unit for translation services in Wales; and iii) all work must be conducted by members of the Association of Welsh Translators (Cymdeithas Cyfieithwyr Cymru).

The new MoJ Languages contract (Lot 2, translations) was awarded to thebigword.

thebigword

Statistics on the use of language interpreter and translation services in courts and tribunals forms part of the quarterly Criminal Court Statistics available through the GOV.UK website which can be found here:

[Criminal court statistics quarterly: October to December 2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/criminal-court-statistics-quarterly-october-to-december-2020)

Contract for provision of Employment Positions for Prisoners at HMP Berwyn

The contract aims to deliver 520 employment positions for prisoners within industrial style workshops. Welsh language requirements have been embedded within the contract with regular assurance testing and oversight by the Contract Management Team to ensure compliance. Welsh language has also been considered in all innovation/development. The service provider has engaged with the wider prison site testing of compliance.

HMP Berwyn – Learning and Skills (2016 – 2023)

The Learning and Skills provision delivers embedded learning at HMP Berwyn. Every prisoner is assessed to determine their learning needs and allocated (on an agreed basis) the appropriate area within the prison that the prisoners should work. The primary aim is to develop the prisoner's skills in preparation for employment on release so as to support rehabilitation.

The contractor is required to comply with the Welsh Language Act 1993 and the Authority's Welsh Language Scheme as if it were the Authority to the extent that the same relate to the provision of the Services. The Contractor is responsible for promoting the delivery of the services in Welsh or English to the learners.

Women's Core Funding Grant (2020 – 2021)

MoJ awarded its £2.5m Women's Core Funding Grants in November 2020. The aim of the core funding grant was to increase stability across the women's sector through core funding support.

The grant programme was open to all VCSE organisations in England and Wales

One grant (£46k value) was placed in Wales and compliance with the Welsh Language Scheme is a requirement of the funding conditions within the Grant Agreement.

The NFN Kitchen Accredited Training Programme with The Clink (April 2021 Implementation)

The Clink will work with prison catering managers and staff in kitchens to provide training to enable prisoners to attain food hygiene, catering and other qualifications to help them obtain employment after release. The Clink will facilitate job interviews with eligible graduates with their network of over 280 employers. The Welsh Language Scheme requirements are incorporated within the terms and conditions of the contract which is due to be delivered across 70 sites over 3 years.

National Payment Line Contract:

This contract was awarded in November 2020 to BT plc. A new direct award contract was implemented by utilising the Crown Commercial Services framework. Service requirements include the provision of a dedicated phoneline in both English and Welsh, with English and Welsh speaking agents. The automated payment service is also provided in both English and Welsh.

Allocation of grants

Success criteria:

Grants are awarded in accordance with the commitments made in the Scheme

Any organisation which applies for a grant for activities which involve the delivery of services to people in Wales will be expected to address in their application, 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.

To ensure that we have robust governance arrangements and grant expenditure is achieving value for money, MoJ established a challenge function (the Grants Challenge Panel) in October 2017. The Panel, which includes representation from the Cabinet Office's Government Grants Management Function, supports decision-making around both establishing new grants and reviewing existing grants.

The HM Prison and Probation Service (HMPPS) and Victim & Witness Grant Boards oversee the process to allocate grants in their respective areas, including the overall sum on offer and aligning the grants to the department's strategic priorities. The competitions are run via the 'Jaggaer' E-tendering System, which can be accessed by any supplier who is registered. HMPPS competitions were also advertised with Clinks.

To help inform prospective bidders, the description document that accompanies each advertisement will outline whether and when Welsh Language Act considerations apply. When awarded, and if appropriate, the grant recipient will be made aware of MoJ requirements with which they are expected to comply, including where the respective MoJ or HMPPS Welsh Language Scheme gives effect to applicable Welsh Language Act requirements.

For 2020/21, the HMPPS grants budget of £5.3m has been used to support the continuation of strategic grants and innovation grants that contribute to HMPPS broad aims and specific priorities. The grants programme is advertised to all Voluntary, Community and Social Enterprise (VCSE) organisations - which are Third Sector organisations - in England and Wales.

Funding has been awarded to a number of VCSE organisations to support strategic aims, test out new and innovative ideas and develop capacity in organisations with projects including:

- Prison Radio, a key source of information for offenders about issues that affect them;
- Koestler Trust, which encourages artistic activity and raises awareness more generally about offenders' art;
- National Association of Official Prison Visitors, which supports prison visitors to provide a vital service for offenders who lack external support;
- Prisoners Abroad, an organisation that supports resettlement of offenders returning to the UK after serving sentences abroad;
- Samaritans, providing key support for prisoners who are suicidal and at risk of self-harm and supporting safer custody work in prisons;
- Citizens Advice, providing advice and support to victims of a miscarriage of justice.

HMPPS advertised its New Innovation Grant Programme for 2020-22 in October 2019, with the opportunity open to all VCSE organisations in England and Wales. The programme identified sixteen new projects, which were originally due to commence on 1 April 2020 but was deferred due to the Covid-19 pandemic. Most have now started, with some changes according to Covid-19 restrictions. Of the sixteen awards, there are no projects specifically operating in HMPPS locations in Wales, although grant recipients will have been made aware of the requirements of the Welsh Language Scheme where appropriate.

A sum of £450k was made available in 2020/21 to provide a fund to support organisations working with HMPPS who have been responding directly to the different or additional demands created by

Covid-19. The fund was administered by Clinks, the sector's respected umbrella body, and a total of 76 grant awards were made to a variety of organisations to support service users across the full spectrum of HMPPS service areas in England and Wales with two of these grants being delivered in Wales only.

Grant funding continues to be made available to a number of VCSE organisations on a longer-term basis to support strategic aims and develop capacity across the sector. This grant funded activity covers England and Wales and, where reasonably possible, grant recipients will seek to provide services through the use of the Welsh language where required. There is also a fluent (second language) Welsh speaker within the HMPPS Grants Team at HQ.

For 2020/21, the Victim and Witness Policy team have given out grants of £6.69m to recipients in Wales, to deliver support services for victims of crime. This includes emergency funding provided in response to Covid-19 and increased demand for victim support services.

Any organisation which applies for a grant for activities which involve the delivery of services to people in Wales will be expected to address in their application, 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. Grant funding also continues to be made available to a number of VCSE organisations on a longer-term basis to support strategic aims and develop capacity across the sector. This grant funded activity will cover England and Wales and where reasonably possible grant recipients will seek to provide services through the medium of the Welsh language if required. There is also a fluent (second language) Welsh speaker within the HMPPS Grants Team at HQ.

4. Implementing, monitoring and reporting

Success criteria:

- a) *Policies initiatives and services are consistent with commitments made in the WLS*
- b) *MoJ's Welsh Coordinators Group widened and meets biannually at least with virtual interaction from members.*
- c) *Arrangements in place to monitor and report on the progress by MoJ bodies, listed in Annex A, regarding their applications of the MoJ WLS.*
- d) *Staff have arrangements in place to monitor service providers compliance with Welsh Language arrangements contained in contract agreements.*

The MoJ's Welsh Language Scheme Co-ordinator continued to have responsibility for the development and operation of the MoJ Scheme. A key aspect of the role is to ensure that our MoJ Scheme is developed and applied appropriately by the various MoJ corporate business areas. This includes the provision of advice and guidance and responding to requests for information or clarification relating to MoJ's policy and practice on the Welsh language. The MoJ Scheme Co-ordinator did not receive any formal complaints regarding the operation of the MoJ Scheme in 2020-21.

MoJ continues to operate a widened Welsh Language Coordinators Group of contacts who act as Welsh Language Co-ordinators for the full breadth of our business areas. The Group meets physically or virtually, or a hybrid mixture of both, twice a year.

The remit of the group is to:

- Focus on issues relating to delivery of our Welsh Language Scheme;
- Share examples of best practice to help raise awareness and replicate ideas;

- Provide a forum for members to discuss and resolve emerging Welsh language issues;
- Provide mutual support for MoJ's Welsh Language Co-ordinators and help inform the future direction of Welsh language policy and governance across our Executive Agencies.

Members use the Group to share information and ideas to improve decision making. Where there are concerns or misunderstandings about Welsh language policy and practice, the Coordinators will pursue these for members and relevant staff in a proportionate manner to ensure satisfactory resolution.

At the September 2020 meeting, the Welsh Language Commissioner Compliance Officer reported on "Closing the gap: the 6th Welsh Language Commissioner's Assurance Report."

At the March 2021 meeting, the JAC Commissioner for Welsh matters explained his new role.

We have had several new additions and changes to the Group at our meetings, indicating the continuation of a gradual increase in interest in Welsh matters across MoJ. In line with MoJ best practice on smarter working (and particularly during the pandemic), delegates have either used video conferencing on Teams or called in to participate.

The Group also operates as an *ad hoc* virtual discussion forum on Welsh Language issues between meetings to share advice between relevant MoJ colleagues, especially on when translation services may be required.



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