



Legal Aid  
Agency

Working with others to achieve excellence in the delivery of legal aid

# Welsh Language Scheme

## 2019-20 and 2020-21 Report

December 2021



# Welsh Language Scheme Report 2019-20 and 2020-21

## Introduction

1. This is the Legal Aid Agency's report on the operation of its Welsh Language Scheme based on activities undertaken for the periods covered by the financial reporting years (FY) of 2019-20 and 2020-21.
2. This report is produced in line with the LAA's Welsh Language Scheme and the Ministry of Justice's updated Welsh Language Scheme approved by the Welsh Language Commissioner on 9 April 2018.
3. The reporting period covering the last quarter of FY 2019-20 and FY 2020-21 was a particularly challenging period which necessitated the swift gripping of numerous wide-ranging and unique challenges presented by the coronavirus (COVID-19) pandemic. In light of the unanticipated and additional pressures presented we decided to produce a combined 2019-20 and 2020-21 WLS report.
4. Throughout the pandemic the LAA has monitored the official guidance and advice published for England and Wales and has ensured that advice relating to Wales has guided and been incorporated into the agency's approach to safeguarding the provision of legal aid services,

including Welsh language support and service provision, to clients in Wales.

5. The provision of legal aid services in the Welsh language is surveyed with those providers of legally-aided advice. LAA contract managers will normally ensure providers of legal aid can offer a Welsh language service or have a process to refer to. Considering the impacts of the pandemic, and with a view to reducing the agency's administrative impact on providers, a risk-based approach to provider activity has been prioritised, meaning the survey of Welsh language provision is now planned for spring 2022.

## Compliance with the WLS

### Tenders

6. Our legal aid contracts with providers contain a requirement regarding Welsh language provision to legal aid clients in Wales as a matter of course. The 2022 Standard Crime Contract, which replaces the 2017 Standard Crime Contract with effect from October 2022, and the 2018 Standard Civil Contract maintain this requirement. This is in line with the agency's commitment to safeguard this provision in all current and future legal aid contracts for the delivery of advice to the public.

## **Publications**

7. All published materials intended for the public in Wales can be made available in Welsh upon request.

## **Performance indicators**

### **PI 1 Frontline services**

#### **Bilingual staff**

8. We currently have 4 bilingual members of staff and one advanced learner dedicated to our Welsh language services. The operations manager for the Cardiff office is also an advanced learner. This amounts to approximately 25% of the customer services team in Wales. They cover our frontline services – telephone, correspondence, applications – and assist with proof reading and ad hoc translations. In addition, we have a further 2 bilingual staff in different departments within our Cardiff office who can also support the Welsh language services if required.
9. We continue to receive positive feedback from our providers regarding our Welsh language frontline services.

#### **Criminal legal aid applications**

10. Since 2014 we have processed all criminal legal aid applications, work previously undertaken by HM Courts and Tribunals Service. The application process includes an online Welsh language application form to ensure that our clients can continue to apply for criminal legal aid in Welsh and

receive all related correspondence in Welsh, if they choose to. In the 12 months to 31 March 2020 we received 3 applications in Welsh and in the 12 months to 31 March 2021 we received 2 applications.

#### **Telephone calls**

11. We maintain monthly logs of the telephone calls received on the Welsh language telephone line. Our analysis shows that between April 2019 to the end of March 2020, we received 155 calls, a decrease of 6.1% on the previous year, and between April 2020 to the end March 2021, we received 88 calls, a further decrease of 43.3%. For comparison, during the same period we received a 4.14% reduction in English language calls for year ending March 2020 and a further decrease of 28.3% year ending March 2021.

#### **Civil legal aid**

12. In addition to recording the details of telephone interactions, we continue to record our digital interactions in the Welsh language. Between April 2019 and March 2020, we received 108 requests in Welsh via our Client and Cost Management System (CCMS) – our system for managing civil legal aid. We also received 10 emails in Welsh. Between April 2020 and March 2021, we received in Welsh 138 requests via our CCMS system and 54 emails. We will continue to monitor all transactions in Welsh.

	2018-19	2019-20	2020-21
Emails received	18	10	54
Requests for Welsh language correspondence (CCMS)	101	108	138

## PI 2 Providing services through third parties

### Face to face services

- Most of our frontline service is provided through contracted providers. Legal aid contracts with face to face providers include specific requirements that ensure providers can provide a Welsh language service in Wales. Firms comply by employing Welsh language speakers or having procedures in place to provide a Welsh language service. This is achieved through referral to a Welsh speaking provider within the same procurement area where such provision is available.
- Contract managers continue to proactively promote the Welsh language service as part of their routine provider activities in Wales. These activities include the annual visits programme to providers.
- Welsh language services, such as our telephone line and bilingual forms,

where applicable, are available upon request and on GOV.UK.

- A 2019 survey of our providers in Wales identified that over 60% employ one or more Welsh speakers. Those who do not currently employ a Welsh speaker are primarily based in south east Wales, where demand for Welsh services is lower. Other providers in this area do employ a Welsh speaker so we consider that there is sufficient alternative provision available. Our next survey is planned for April 2022. The last survey took place in 2019 before the onset of the COVID-19 pandemic.

- We have used Twitter to promote Welsh language services and to send tweets in Welsh.

### Telephone services

- We continue to fund the Civil Legal Advice (CLA) service which is a national telephone advice line service. It provides specialist legal advice in debt, education, housing, family and discrimination. Clients accessing the initial telephone triage service can choose to communicate in Welsh.
- Our 'check if you can get legal aid' digital online service on GOV.UK is available in Welsh. It supports clients to diagnose whether their problem falls within the scope of legal aid and if they are likely to be financially eligible to receive public funding. If appropriate, they will be offered a call back, using Welsh language

interpreters, from Civil Legal Advice to progress their case. We are continuing to expand the coverage of Welsh language support available digitally and are working alongside the Ministry of Justice's Legal Support Policy team. This is to ensure onward signposting from the online service to third sector organisations is also available in Welsh.

20. Where clients are detained in police custody and require legal advice, they can request a Welsh speaking solicitor when the custody officer contacts the LAA's Defence Solicitor Call Centre. This service facilitates the deployment of an appropriate solicitor to the police station.

### **PI 3 Language training and awareness**

21. All staff are allocated time for training and development. The agency actively looks for innovative new ways to develop the skills of its advanced Welsh learners and annually seeks to identify appropriate learning opportunities. We also continue to discuss all learning and development opportunities with our staff, including whether there is a desire to undertake Welsh language training. When an individual expresses interest in developing Welsh language skills suitable training is identified to meet that need. Through to February 2021 fortnightly lessons in basic Welsh language skills were held which were open to all staff to attend. From March 2021 the fortnightly lessons were

replaced with a weekly Welsh language discussion group for those who already have some Welsh language ability and who wish to practise their skills.

### **PI 4 Information Technology**

22. Our IT system for civil legal aid matters is used by 1,600 legal aid providers, including approximately 250 barristers' chambers. Correspondence and any declarations requiring the signature of a client are available in Welsh on request. However, the ability of LAA digital products to support Welsh translations is not always straightforward as some of the legacy IT casework systems do not contain Welsh language translations. Despite this challenge letters will always be manually translated to Welsh upon request.

### **PI 5 Administering the scheme**

23. Responsibility for our Welsh Language Scheme remained with the Corporate Centre during the reporting period 2019-20 and 2020-21.
24. We received no complaints about our Welsh language services during FYs 2019-20 and 2020-21.

## **Conclusion**

25. I am pleased to report that we have continued to successfully deliver an effective Welsh Language Scheme during the reporting periods of 2019/20 and 2020/21 and have continued to provide a high standard of Welsh language services.

**Jane Harbottle**  
**Chief Executive, Legal Aid Agency**



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