



Legal Aid
Agency

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

Welsh Language Scheme

2021-22 Report

January 2023



Introduction

1. This is the Legal Aid Agency's (LAA) report on the operation of its Welsh Language Scheme based on activities undertaken for the periods covered by the financial reporting year (FY) of 2021-22.

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. The LAA will consider a review of the scheme in FY 2022-23.

3. Throughout and after the pandemic, the LAA monitored the official guidance and advice published for England and Wales. It 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. This includes Welsh language support and service provision, to clients in Wales.

4. 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.

Compliance with the WLS

Tenders

5. Our contracts with providers contain a requirement regarding the provision of Welsh language services to legal aid clients in Wales as a matter of course. The 2022 Standard Crime Contract replaced the 2017 Standard Crime Contract with effect from October 2022. The 2018 Standard Civil Contract maintains this requirement in line with the agency's commitment to safeguard

this provision. It is a commitment which applies to all current and future legal aid contracts for the delivery of advice to the public.

Publications

6. 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

7. 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, which includes telephone, correspondence, and applications. They also assist with proof reading and ad hoc translations. In addition, we have a further 2 bilingual staff in different departments within our Cardiff office. They can also support the Welsh language services if required.

8. We continue to receive positive feedback from our providers regarding our Welsh language frontline services.

Criminal legal aid applications

9. 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. This ensures 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 2022 we received 10 applications in

Welsh. This is an increase of 8 since the previous year.

Telephone calls

10. We maintain monthly logs of the telephone calls received on the Welsh language telephone line. Our analysis shows that from April 2021 to the end of March 2022, we received 213 calls, an increase of 242% on the previous year. For comparison, during the same period we received an increase of 2.52% in English language calls. The previous 2 years experienced a big decrease during the coronavirus (COVID-19) pandemic. Additionally, in April 2021 telephone recording was moved to a new digital system providing accurate data for calls received that no longer relies on manual recording by handlers.

Civil legal aid

11. In addition to recording the details of telephone interactions, we continue to record our digital interactions in the Welsh language. In FY 2021-22, we received 63 requests in Welsh via our Client and Cost Management System (CCMS), which manages civil legal aid. We also received 5 emails in Welsh. This reduction is a result of communicating with legal aid providers on how to use CCMS properly, as some were ticking the request for correspondence in Welsh in error. We continue to monitor all transactions in Welsh.

	2019-20	2020-21	2021-22
Emails received	10	54	5
Requests for Welsh language correspondence (CCMS)	108	138	63

PI 2 Providing services through third parties

Face to face services

12. Most of our frontline services are provided through our 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 works through referrals to a Welsh speaking provider within the same procurement area where such provision is available.

13. Contract managers continue to proactively promote the Welsh language service as part of their routine provider activities in Wales. These activities include the programme of annual visits to providers.

14. Welsh language services, such as our telephone line and bilingual forms, are available upon request. This includes the Exceptional Case Funding form, ECF1, and ECF inquest form, which was in July 2022.

Telephone services

15. We continue to fund the Civil Legal Advice (CLA) service which is a national telephone advice line service providing specialist legal advice in debt, education, housing, family and discrimination. Clients accessing the initial telephone triage service can choose to communicate in Welsh.

16. The LAA's 'check if you can get legal aid' digital online service on GOV.UK is available in Welsh. This supports clients to diagnose whether their problem falls within scope for legal aid. Also, 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. We are working alongside the Ministry of Justice's Legal Support Policy team to ensure onward signposting from the online service to third sector organisations is also available in Welsh.

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

PI 3 Language training and awareness

18. 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.

PI 4 Information technology

19. Our IT system for civil legal aid matters is used by approximately 1,300 legal aid providers and 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. This is because some of the legacy IT casework

systems do not contain Welsh language translations. Despite this challenge letters will always be translated to Welsh upon request.

PI 5 Administering the scheme

20. Responsibility for our Welsh Language Scheme remained with Corporate Services during the reporting period FY 2021-22.

21. We received no complaints about our Welsh language services during FY 2021-22.

Conclusion

22. I am pleased to report that we have continued to successfully deliver an effective Welsh Language Scheme during the reporting period of 2021-22 and have continued to provide a high standard of Welsh language services.

Jane Harbottle
Chief Executive, Legal Aid Agency



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