



Judicial Appointments Commission

Welsh Language Scheme

2024 - 25 Annual Monitoring Report to the Welsh Language Commissioner

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1. Introduction

This is the ninth Welsh Language Scheme Annual Monitoring Report prepared by the Judicial Appointments Commission (JAC) and it covers the period from 1 April 2024 to 31 March 2025. The report demonstrates the progress we have made in implementing our scheme since it was endorsed by the Welsh Language Commissioner's Office in May 2016. The scheme is available on the JAC website:

<https://www.judicialappointments.gov.uk/welsh-language-scheme>.

The JAC was previously covered by the Ministry of Justice's Welsh Language Scheme. We developed this voluntary, specialised scheme to better specify how we treat the Welsh and English languages. It explains how candidates for judicial appointment can communicate with the JAC in Welsh or English, according to their personal choice.

The scheme sets out how we give 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. The scope of our commitments should be interpreted as applying to those recruitment activities and services in Wales that we are able to control or influence.

2. Background

The JAC was established on 3 April 2006 under the Constitutional Reform Act 2005. The JAC is an executive non-departmental public body, sponsored by the Ministry of Justice. We select candidates for judicial office in courts and tribunals in England and Wales, and for some tribunals with UK-wide jurisdiction. Candidates are selected on merit, through fair and open competition, and we are committed to attracting applicants from as wide a field as possible. We work with a range of organisations to promote vacancies to eligible candidates.

The JAC launched its Welsh Language Scheme in May 2016, following a public consultation in October 2015. The scheme explains how we will treat the Welsh and English languages when assessing candidates' suitability for judicial appointment in Wales and explains that candidates will be able to communicate with us in English or Welsh, according to their personal choice.

3. Recruitment

The JAC is a London-based organisation of around 100 staff. It does not have a permanent delivery presence in Wales. The JAC's Welsh Language Scheme does not cover JAC staff recruitment as there are no identified Welsh language requirements for staff.

Where Welsh language skills are required for a judicial appointment, we are currently supported by members of the Welsh judiciary who sit on selection panels to assess Welsh language skills. Throughout 2024-25 the JAC has continued to conduct an open recruitment exercise to increase the number of lay panel members, and these new members joined the cadre throughout 2024-25, although no Welsh speaking members were appointed this year. Selection exercises where Welsh language skills are required are usually quality assured by the JAC Commissioner with special knowledge of Wales.

Requirement for an understanding of the administration of justice in Wales

An additional selection criterion is applied for vacancies in Wales. The criterion is approved by the Lord Chancellor, which was revised during 2024-25 and now states:

“Candidates for posts in Wales need to have an understanding of administration of justice in Wales, including legislation applicable to Wales and Welsh devolution arrangements”.

Where candidates have applied for posts in Wales, a number of questions that are specific to each exercise are asked at the interview stage via a non-live video format, with candidates assessed on their understanding of relevant Welsh issues.

Selection exercises 2024-25

The JAC reports annually on the number of exercises completed within a reporting year.¹ The Welsh Language Scheme was implemented in May 2016 and was applied to selection exercises that went into planning stages from that time. This section details selection exercises that completed and reported from 1 April 2024 – 31 March 2025 to give an overview of judicial recruitment in Wales.

A total of 34 selection exercises were finalised and reported in 2024-25. The business area and the judiciary identify Welsh language requirements for vacancies, which the JAC then assesses candidates against. The JAC continues to run selection exercises where Welsh language has been identified as a requirement for one or more posts.

¹ <https://judicialappointments.gov.uk/annual-reports-and-accounts/>

The following selection exercises identified vacancies in Wales that had an essential Welsh language requirement in addition to testing the candidates' understanding of the administration of justice in Wales:

- **Fee-paid Judge of the First-tier Tribunal and Fee-paid Judge of the Employment Tribunals (England and Wales) (00117).** This joint exercise launched on 21 March 2023. The majority of these recommendations were included in the 2023-24 report. However, following a further request, two additional candidates were recommended to two Welsh language posts for the Fee-paid Judge of the Employment Tribunal (England and Wales). This meant that a total of 52 candidates were recommended to the role of Fee-paid Judge of the Employment Tribunal (England and Wales).

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:

- **Recorder (00162).** The national exercise for Recorder launched on 15 June 2023 with 100 vacancies. Those candidates who were interested in a Welsh post were assessed on their understanding of the administration of justice in Wales. A total of 100 candidates were recommended, with eight candidates recommended as suitable for appointment to posts in Wales. Deployment decisions are the responsibility of the judiciary.
- **Circuit Judge (00171).** The national exercise launched on 18 July 2023 with 52 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. A total of 42 candidates were recommended, with one candidate recommended as suitable for posts in Wales. Deployment decisions are the responsibility of the judiciary.
- **District Judge (00172).** The national exercise launched on 07 September 2023 with 100 vacancies across England and Wales. Those candidates who were interested in a post in Wales were assessed on their understanding of the administration of justice in Wales. A total of 51 candidates were recommended, with three candidates recommended as suitable for posts in Wales. Deployment decisions are the responsibility of the judiciary.
- **Deputy District Judge (00184).** The national exercise for Deputy District Judge launched on 19 March 2024 with 125 immediate vacancies across England and Wales and an additional request for 30 potential future vacancies. Those candidates who were interested in a Welsh post were assessed on their understanding of the administration of justice in Wales. A total of 123 candidates were recommended, with five candidates recommended as suitable for appointment to posts in Wales, in this reporting period. Additional candidates to fulfil the remaining two positions will be included in the next reporting year. Deployment decisions are the responsibility of the judiciary.
- **District Judge (Magistrate Courts) (00185).** The national exercise launched on 19 March 2024 with 30 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. A total of 25 candidates were recommended with two candidates recommended as suitable for posts in Wales. Deployment decisions are the responsibility of the judiciary.

- **Resident Judge of the First-tier Tribunal, Immigration and Asylum Chamber (00215).** This exercise for Resident Judge of the First-tier Tribunal launched on 26 September 2024 with four vacancies, one of which was based in Wales. Those candidates who were interested in the Welsh post were assessed on their understanding of the administration of justice in Wales. Three candidates were recommended, including the one Welsh post with a candidate who was found to be suitable for a post in Wales.
- **Deputy Chairperson for the Agricultural Land Tribunal for Wales (00221).** This exercise launched on 22 May 2024 with four vacancies, all in Wales. All candidates were assessed on their understanding of the administration of justice in Wales. Three candidates were recommended as suitable for appointment to these posts.

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 Financially Qualified Members of the First-tier Tribunal, Social Entitlement Chamber (00209).** The national exercise launched on 9 July 2024 for 18 vacancies across all regions, two of which were based in the South West and Wales region. A total of 10 candidates were recommended, but no candidates were recommended to the two positions in the South West and Wales region.

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 with the following exercise:

- **President of the Welsh Language Tribunal (00193) –** The exercise launched on 13 March 2024 with one vacancy in Wales. Welsh language was an essential requirement for one post in the selection exercise for President of the Welsh Language tribunal. All candidates were assessed on their language ability and understanding of the administration of justice in Wales. One candidate was recommended as suitable for appointment to this post.
- **President of Residential Property Tribunal Wales (00224).** This exercise launched on 16 May 2024 with one vacancy in Wales. All candidates were assessed on their understanding of the administration of justice in Wales. A total of one candidate was recommended as suitable for appointment to this post.
- **Professional Members of the Residential Property Tribunal for Wales (00226).** This exercise launched on 26 September 2024 with 10 vacancies, all located in Wales. The requirement to assess candidates' understanding of the administration of justice in Wales was waived for this exercise. A total of three candidates were recommended for these posts.

4. Monitoring the Welsh Language Scheme

Selection exercises

The JAC's Welsh Language Scheme applies to selection exercises with posts in Wales that went into planning stages on or after May 2016. External advertising is only used by the JAC in exceptional cases. The 'advertising' section of our Welsh Language Scheme outlined provisions for any cases in which external advertising was used. External advertising was not used in any selection exercises which had posts in Wales over 2024-25.

Over the period 2024–25, we published Welsh translations of selection exercise material in the following exercises:

- Fee-paid Medical Member of the First-tier Tribunal, Social Entitlement Chamber (00187) which launched on 12 December 2023.
- Fee-paid Judge of the First-tier Tribunal (00203) which launched on 18 June 2024.
- Fee-paid Financially Qualified Members of the First-tier Tribunal, Social Entitlement Chamber (00209) which launched on 9 July 2024.
- Judge of the First-tier Tribunal (00210) which launched on 15 October 2024.
- Circuit Judge (00212) which launched on 10 September 2024.
- Deputy Chairperson of the Agriculture Land Tribunal for Wales (00221) which launched on 22 May 2024.
- President of the Residential Property Tribunal for Wales (00224) which launched on 16 May 2024.
- Professional Members of the Residential Property Tribunal Wales (00226) which launched on 26 September 2024.
- Recorder (00227) which launched on 5 November 2024
- Fee-paid Lay Members of the Welsh Language Tribunal (00249) which launched on 26 November 2024
- President of the Mental Health Review Tribunal for Wales (00254) which launched on 28 January 2025
- Deputy District Judge (Magistrates' Court) (00234) which launched on 30 January 2025
- Fee-paid Vice President of the Residential Property Tribunal for Wales (00259) which launched on 12 March 2025

Enhancements of the website over the year enable Welsh and English language information pages to be in the same format and to enable the easy and prominent ability to switch between the languages, as required. The Welsh language application form, which was developed during the 2023-24 report period, continues to be embedded and further developed based on candidate feedback received throughout the year.

Complaints

The JAC did not receive any formal complaints directly in relation to the Welsh Language Scheme.

Progress against action plan

The reporting standards previously established for the JAC Welsh Language Scheme remained the same over 2024–25: availability of the Scheme; advice and guidance; digital capability; new and revised policies and monitoring and review.

Updates to the action plan over 2024–25 are in bold below.

Theme and reference	Activity	Target Date	Progress	Status
Availability	Publish the Scheme on the JAC website and intranet	March 2016	Complete	Complete. Publication delayed by the pre-election period for the National Assembly for Wales 2016 election, and published on 23 May 2016.
Advice and guidance	Develop internal guidance to accompany policy including assessment of language skills and knowledge of divergence in law, devolution arrangements etc.	March 2016 initial publication. Review of relevant policy documents ongoing	Complete Complete	Complete – guidance available to all staff from March 2016 A training session was held for operational staff in April 2016 prior to implementation. Refresher training sessions have also been undertaken during the period 2021-22. The guidance was reviewed and expanded by the Welsh Matters Committee in October 2021.
Digital capability	New JAC Digital Platform has been developed and enhanced throughout 2023-24.	Ongoing	Ongoing	Following the introduction of Welsh language application forms last year. The digital capability has increased throughout 2023-24. Exercises are able to launch with a consistent Welsh and English language versions of the exercise information page in the same format and easy and prominent ability to switch between the two languages. Whilst this is further tested throughout 2024-25 and taking on board candidate feedback to consider further refinements.
New and revised policies	Consider the impact of new and revised policies in the Welsh Language Scheme.	Ongoing	Implementation will be monitored on an ongoing basis	Ongoing. Candidates are now able to provide any narrative section in a Qualifying Test in Welsh, which is then translated.

Monitoring and review	Prepare an Annual Monitoring Report for the Welsh Language Commissioner which will be made available to the Commission Board and Executive; MoJ Welsh Language Co-ordinators, MoJ Sponsorship and Welsh Liaison Judge	Annual		Complete: Annual Monitoring Report 2016–17 published October 2017 Annual Monitoring Report 2017–18 published November 2018 Annual Monitoring Report 2018-2019 published December 2019 Annual Monitoring Report 2019-2020 published November 2020 Annual Monitoring Report 2020-21 published September 2021 Annual Monitoring report 2021-22 published September 2022 Annual Monitoring report 2022-23 published September 2023 Annual Monitoring report 2023-24 published September 2024. Annual Monitoring report 2024-25 published September 2025.
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5. The Welsh Matters Committee

The Welsh Matters Committee is a sub-committee of the JAC Commission Board. The Committee was comprised during this period of JAC Commissioner with special knowledge of Wales the Rt. Rev. Dr. Barry Morgan as chair of the Committee, with Commissioners Tribunal Judge Noel Arnold and Tom Cross KC as Committee members. Brie Stevens-Hoare KC term as Commissioner ended in 2024, and so she stood down from the committee at the end of her term.

The inaugural meeting of the Welsh Matters Committee was held on 9 March 2017, and the Committee sits every other month.

The primary purpose of the Committee is to monitor the potential impact of devolution in Wales on the appointments process for judicial posts across England and Wales, and to ensure that the wider Commission is aware of the needs of Wales.

Over the reporting year, the Committee has:

- In August 2024, Dr Morgan attended the National Eisteddfod event in Pontypridd, at the invitation of Welsh Judges and spoke / delivered a session on the JAC application process with prospective Welsh speaking candidates
- In October 2024, Dr Morgan attended both the Legal Wales Conference and the opening of the Legal Year service in Llandaff Cathedral.
- In November 2024, Dr Morgan and other members of the Welsh Matters Committee met with Sir Martin Griffiths, Presiding Judge of Wales to discuss matters of mutual interest.
- In February 2025, considered an update on the progress of Welsh Government Tribunals Bill, following a meeting between officials of the JAC and the Welsh Government.
- Oversaw implementation of the use of non-live video assessments for the assessment of candidates knowledge of the administration of justice questions in Wales. The committee has continued to evaluate the process throughout 2024/25
- Continued the monitoring of developments of the Wales Training Committee to make sure the JAC testing of Welsh knowledge takes account of the Judicial College's work in dealing with the training implications of devolved legislation.
- Monitored the delivery of selection exercises in Wales