

## **Giving Evidence in the Welsh Language:-**

Section 22(1) of the Welsh Language Act 1993 provides that:

'In any legal proceedings in Wales the Welsh language may be spoken by any party, witness or other person who desires to use it, subject in the case of proceedings in a court other than a magistrates' court to such prior notice as may be required by rules of court; and any necessary provision for interpretation shall be made accordingly.'

A defendant/witness in any court in Wales has the right to:

- 1) take the oath / affirm in Welsh
- 2) give evidence in Welsh

regardless of whether the Welsh language is otherwise used in the case. Witnesses must be informed at the hearing of this right.

In Wales the questions on the bilingual Plea and Case Management Hearing questionnaire (Crown and Magistrates' Courts) referring to the use of the Welsh language in a case must be completed.

HMCS has developed specific protocols to assist with arrangements when the Welsh Language is used in a court hearing. In brief we will:

1. List the case before a Welsh speaking Judge – Crown Court
2. Arrange a Welsh speaking Bench for cases heard in the Magistrates Court (if we know in advance that the Welsh Language will be used)
3. Arrange an experienced Welsh language interpreter if any party to the proceedings cannot understand Welsh

Further information can be obtained from the Welsh Language Policy Officer at Churchill House Cardiff (029 20678340) and /or The Welsh Language Unit at Holyhead (01407 767500).