



# Tribunals Judiciary

## **PRACTICE DIRECTION FIRST-TIER AND UPPER TRIBUNAL USE OF THE WELSH LANGUAGE IN TRIBUNALS IN WALES**

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### **GENERAL**

1. The purpose of this Practice Direction is to reflect the principle of the Welsh Language Act 1993 that in the administration of justice in Wales, the English and Welsh languages should be treated on a basis of equality.
2. In this Practice Direction “Welsh case” means a case which is before the Tribunal in which all “individual parties” are resident in Wales or which has been classified as a Welsh case by the Tribunal. An “individual party” is a party other than a Government Department or Agency. Where not all of the “individual parties” are resident in Wales the Tribunal will decide whether the case should be classified as a Welsh case or not.

### **USE OF THE WELSH LANGUAGE**

3. In a Welsh case the Welsh language may be used by any party or witnesses or in any document placed before the Tribunal or (subject to the listing provisions below) at any hearing.

### **LISTING**

4. Unless it is not reasonably practicable to do so a party, or their representative, must inform the Tribunal 21 days before any hearing in a Welsh case that the Welsh language will be used by the party, their representative, any witness to be called by that party or in any document to be produced by the party.
5. Where the proceedings are on appeal to the Upper Tribunal and the Welsh language was used in the Tribunal below, the Tribunal Manager must make arrangements for the continued use of the Welsh language in the proceedings before the Upper Tribunal.
6. Where practicable, a hearing in which the Welsh language is to be used must be listed before a Welsh speaking Tribunal and, where translation facilities are needed, at a venue with simultaneous translation facilities.

### **INTERPRETERS**

7. Whenever an interpreter is needed to translate evidence from English into Welsh or from Welsh into English, the Tribunal Manager in whose tribunal the case is to be heard must ensure that the attendance is secured of an interpreter whose name is included in the list of approved interpreters.

### **WITNESSES**

8. When a witness in a case in which the Welsh language may be used is required to give evidence on oath or affirmation the Tribunal must inform the witness that they may be sworn or affirm in Welsh or English as they wish.
9. This Practice Direction is made by the Senior President of Tribunals with the agreement of the Lord Chancellor. It is made in the exercise of powers conferred by the Tribunals, Courts and Enforcement Act 2007.

**LORD JUSTICE CARNWATH**  
**SENIOR PRESIDENT OF TRIBUNALS**  
**30 October 2008**