



Courts and Tribunals Judiciary

Protocol for the Bilingual Publication of Reserved Judgments in the Administrative Court in Wales

1. Purpose of this Protocol

1.1 This Protocol establishes a pilot process for the bilingual publication of reserved judgments in the Administrative Court in Wales.

1.2 The purpose of the pilot is to test the practical viability of publishing judgments from courts and tribunals in Wales in both English and Welsh. It supports the equal standing of the Welsh language and seeks to improve public access to judgments in Wales.

1.3 The pilot begins with reserved judgments in the Administrative Court in Wales. That is a practical starting point because such judgments are usually prepared in writing before they are handed down and because a publication timetable can be planned in advance.

1.4 The aim is that, where this Protocol applies, the English and Welsh versions of the judgment will be published at the same time, together with any judgment summary, on the Judiciary website.

2. Scope of the Pilot

2.1 This Protocol applies to reserved judgments in the Administrative Court in Wales.

2.2 It applies where the judge has prepared a draft judgment for circulation to the parties in accordance with CPR Practice Direction 40E.

2.3 The Protocol does not apply to ex tempore judgments, urgent oral rulings, or judgments where the timetable for handing down does not permit translation before publication.

2.4 The Protocol is intended to operate as a pilot. It will be reviewed in the light of operational experience, including the time required for translation, the impact on the Welsh Language Unit, the handling of corrections, and the arrangements for publication.

3. Underpinning Principles

3.1 The pilot is based on the following principles:

(a) **Equal standing of Welsh and English:** the process should support the public availability of judgments in both Welsh and English.

(b) **Open justice:** bilingual publication should improve access to judgments and support public understanding of the work of courts and tribunals in Wales.

(c) **Accuracy and quality assurance:** Welsh translations of judgments must be prepared and checked through a process that maintains the accuracy and integrity of the judgment.

(d) **Judicial control of the judgment:** the judge remains responsible for the final form of the judgment to be handed down.

(e) **Practicality:** the pilot must operate within available resources and in a way that does not compromise the orderly preparation and hand-down of judgments.

(f) **Review and learning:** the pilot will be used to identify what works, what needs adjustment, and whether bilingual publication can be extended in due course.

4. Roles and Responsibilities

The Judge

4.1 The judge is responsible for finalising the English draft judgment, considering any corrections submitted by the parties, and approving the final English judgment for hand-down.

4.2 Where a judgment summary is prepared, the judge is responsible for finalising the English version of that summary.

The Parties

4.3 The parties are responsible for considering the draft judgment in accordance with CPR Practice Direction 40E and submitting any permitted corrections within the time directed by the judge.

4.4 Corrections must be limited to matters properly raised under Practice Direction 40E, such as typographical errors, minor factual errors, or other corrections of that kind. The process is not an opportunity to re-argue the case.

The Welsh Language Unit

4.5 The Welsh Language Unit will translate the draft judgment into Welsh and, where applicable, translate any judgment summary.

4.6 The Welsh Language Unit will prepare the final Welsh version after receiving the corrected English judgment from the judge.

4.7 The Welsh Language Unit will notify the judge, or the judge's clerk, promptly if the proposed hand-down timetable cannot be met.

Judicial and Administrative Support

4.8 The judge's clerk, the Administrative Court Office, and any other relevant administrative team will support the practical transmission of documents, the fixing of the hand-down date, and the publication arrangements.

5. The Standard Process

Step 1: Finalisation of the draft judgment

5.1 The judge finalises the draft English judgment for circulation to the parties in accordance with CPR Practice Direction 40E.

5.2 At this stage, the judgment remains confidential and subject to the restrictions that apply to draft judgments circulated before hand-down.

Step 2: Circulation to the parties and transmission to the Welsh Language Unit

5.3 When the draft judgment is sent to the parties, it is also sent to the Welsh Language Unit for translation.

5.4 The communication to the Welsh Language Unit should include:

- (a) the name of the case;
- (b) the neutral citation, if already available;
- (c) the proposed date and time for hand-down;
- (d) the word count of the judgment;
- (e) whether a judgment summary is expected;
- (f) any particular Welsh terminology, statutory provisions, names, or technical terms that may require careful treatment; and
- (g) the name and contact details of the person to whom any queries should be directed.

5.5 The Welsh Language Unit will begin preparing the Welsh translation on the basis of the draft judgment sent at this stage.

Step 3: Corrections from the parties

5.6 The parties submit any proposed corrections to the judge by the deadline directed by the judge.

5.7 For judgments of fewer than 20,000 words, the indicative timetable in Annex A provides for not less than 4 working days between circulation of the draft judgment and submission of corrections by the parties.

Step 4: Corrected judgment sent to the Welsh Language Unit

5.8 After considering any corrections, the judge produces a corrected version of the judgment.

5.9 The corrected judgment should be sent to the Welsh Language Unit with changes shown using track changes, or by some other clear method that identifies the changes made to the draft previously provided.

5.10 If the judge has prepared a judgment summary, the English summary should be sent to the Welsh Language Unit at the same time for translation.

5.11 The judge or the judge's clerk should confirm the proposed hand-down date and time when sending the corrected judgment and any summary to the Welsh Language Unit.

Step 5: Final Welsh translation

5.12 The Welsh Language Unit prepares the final Welsh version of the corrected judgment.

5.13 Where a judgment summary is provided, the Welsh Language Unit also prepares the Welsh version of the summary.

5.14 For judgments of fewer than 20,000 words, the indicative timetable in Annex A provides for not less than 3 working days between the Welsh Language Unit receiving the corrected judgment and the hand-down of the judgment.

Step 6: Hand-down and publication

5.15 The judgment is handed down on the date fixed by the court.

5.16 Where this Protocol applies, the English and Welsh versions of the judgment will be handed down and published at the same time.

5.17 Any judgment summary will also be published in both English and Welsh at the same time, where a summary has been prepared.

5.18 Publication will take place on the Judiciary website and by submission to the National Archives, subject to any relevant restrictions on publication, anonymisation requirements, reporting restrictions, or other orders made by the court.

6. Confidentiality and Embargo

6.1 Draft judgments circulated under CPR Practice Direction 40E are confidential.

6.2 The Welsh Language Unit will receive the draft judgment only for the purpose of preparing the Welsh translation and supporting bilingual publication.

6.3 The draft judgment, the Welsh translation in preparation, and any judgment summary must not be disclosed or used for any purpose other than the operation of this Protocol before hand-down.

6.4 The parties remain bound by the usual restrictions that apply to draft judgments circulated before hand-down.

7. Changes After Translation Has Begun

7.1 The Welsh Language Unit will begin work on the translation once it receives the draft judgment.

7.2 If corrections are later made to the judgment, the judge will provide the corrected version with changes shown clearly.

7.3 The purpose of showing changes is to allow the Welsh Language Unit to identify what changes must be incorporated into the final Welsh version.

7.4 If the corrections are substantial, or if the judgment is significantly rewritten, the hand-down date may need to be adjusted.

8. Judgment Summaries

8.1 Where the judge prepares a judgment summary, the summary should be treated as part of the bilingual publication process.

8.2 The summary should be sent to the Welsh Language Unit as soon as it is available.

8.3 If the summary is not available when the draft judgment is first sent to the Welsh Language Unit, it should be sent when the corrected judgment is sent.

8.4 The aim is that any judgment summary will be published in both English and Welsh at the same time as the judgment.

9. Publication Issues

9.1 Before publication, the judge or the relevant administrative team should confirm that:

- (a) the final English judgment has been approved for hand-down;
- (b) the final Welsh version has been provided by the Welsh Language Unit;
- (c) any judgment summary has been finalised in both languages;
- (d) any anonymisation, reporting restriction, or other publication restriction has been applied consistently to both language versions; and
- (e) the publication arrangements have been confirmed.

9.2 The English and Welsh versions should be clearly identified as corresponding versions of the same judgment.

9.3 Where appropriate, the published versions should make clear that the Welsh version is the Welsh translation prepared for publication under this Protocol.

10. Review of the Pilot

10.1 The operation of this Protocol will be reviewed after an initial pilot period of 12-months.

10.2 The review should consider:

- (a) feedback from court users and other stakeholders;
 - (b) whether the indicative timetable is realistic;
 - (c) whether the process has allowed proper quality assurance;
 - (d) the impact on the Welsh Language Unit;
 - (e) the number and type of judgments suitable for bilingual publication;
 - (f) whether longer judgments can be accommodated;
 - (h) the feasibility of extending bilingual publication of judgments to other courts or tribunals in Wales; and
 - (h) any changes needed to improve clarity, speed, accuracy, or public access.
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Annex A: Indicative Timeline for Judgments of Fewer Than 20,000 Words

This Annex sets out the indicative minimum timetable for reserved judgments of fewer than 20,000 words.

A1. Standard Minimum Timetable

Stage	Step	Indicative minimum period
Day 0	Draft judgment circulated to the parties under CPR PD40E and sent at the same time to the Welsh Language Unit	—
Days 1–4	Parties consider the draft judgment and submit any permitted corrections	Not less than 4 working days
Day 4	Corrections submitted to the judge	—
Day 4/5	Judge considers corrections and sends corrected judgment, with changes shown, to the Welsh Language Unit. Any judgment summary is sent at the same time	As soon as practicable
Days 5–7	Welsh Language Unit prepares final Welsh version of corrected judgment and any summary	Not less than 3 working days
Day 8 or later	Judgment and any summary handed down and published in English and Welsh	No earlier than expiry of the minimum periods above

A2. Practical Effect

A2.1 For judgments of fewer than 20,000 words, the ordinary minimum timetable should therefore allow at least:

(a) 4 working days between circulation of the draft judgment and the deadline for party corrections; and

(b) 3 working days between receipt by the Welsh Language Unit of the corrected judgment and hand-down.

A2.2 In practice, this means that the court should not normally fix a hand-down date earlier than 7 working days after circulation of the draft judgment, unless the Welsh Language Unit confirms that the timetable can be met.

A3. Longer Judgments or Complex Cases

A3.1 Longer judgments, judgments with extensive specialist terminology, judgments involving substantial corrections, or judgments with lengthy summaries may require a longer timetable.

A3.2 In such cases, the judge or the judge's clerk should consult the Welsh Language Unit before the hand-down date is fixed.