

Colin Williams 

Language Strategies, Schemes and Standards in Wales

Abstract

This paper reviews systemic changes in Welsh language legislation over the past thirty-three years, focusing on official strategies for language revitalisation. While Canada and Ireland recognize individual and community language rights, Wales primarily addresses organizational duties, lacking clear individual rights. The Welsh Language Board, established by the 1993 Welsh Language Act, mandated public bodies to create Welsh Language Schemes. Despite improvements, compliance and service quality varied, especially among UK Crown bodies. The absence of robust individual rights has spurred calls for greater protection of the Welsh language, leading to the establishment of the Welsh Language Commissioner in 2012, tasked with introducing Welsh Language Standards to improve public service delivery. Recent legislation, including the Welsh Language and Education (Wales) Act 2025, aims to increase Welsh speakers to one million by 2050. Although the Commissioner is proactive, challenges remain in achieving consistency and addressing previous structural weaknesses. The study emphasizes the need for ongoing legislative reforms and a coherent strategy to fully integrate Welsh into public life and foster a bilingual society.

Keywords

Welsh, language policy, government ambition, new speakers, atrophying heartlands

Corresponding author

Colin Williams, Cardiff University, Cardiff, Wales, United Kingdom;

ORCID: 0000-0002-0844-5704

Collin H. Williams passed away in May 2026 after a prolonged illness. Post-acceptance revisions to this article were completed with the assistance of several of his friends. The substance of the article remains unchanged. The Editorial Board would like to thank dr. Jeremy Evas for his help.

1. Wales: Institutional Competence and System Level Elements

This paper provides an overview of systemic changes related to Welsh language legislation, schemes and standards over the past thirty three years, elements which are at the heart of language revitalisation efforts (Lewis & McLeod 2021). The broad parameters of official action in support of a target language are incorporated in official language strategies, as developed by the governments of Canada (2023), Ireland (2009) and Wales (2003; 2017). Some jurisdictions, such as Canada, recognise both individual and community language rights, others, such as Ireland, constitutionally guarantee individual rights, while others, such as Wales, have yet to specify such rights, and I consider this to be a significant failing resulting from a largely cautious approach to language management.

Hitherto, the English and Welsh legal system has tended to discuss the duties and obligations of named organisations rather than offer any detailed specification of individual language rights. The first significant action was the Welsh Courts Act of 1942, which removed the prohibitive barrier of section 17 of the Laws in Wales Act 1535 and enacted that Welsh could be used in any court in Wales. Thereafter, Welsh was not accorded rights under subsequent legislation, such as the Welsh Language Act 1967 or the Welsh Language Act 1993, which tended to treat the use of Welsh as permissive rather than as an established right. The 1967 Act undid the effect of the Wales and Berwick Act of 1746, whereby England now meant England and not England and Wales, and Welsh became an official language in administrative policy. But few promotional instruments were created to transform and secure the putative status of Welsh into a robust element of public affairs and local government.

Roddick (2007) has argued that the primary purpose of language rights is to ensure equality between citizens of the nation. Thus, language rights, properly conceived, should lead to a reduction in the minority's perception that they are unfairly treated and overwhelmed by majoritarian interests. The absence of language rights in Wales has led to a more vigorous and pro-active campaign in favour of the language struggle. Denial and inequality have led to active campaigning and participation on the language front.

The absence of an individual language rights tradition within English and Welsh, and indeed Scottish, law, as opposed to Irish law, means that relatively little case law or precedent is available to inform the develop-

ment of the field. Conscious of this lacuna, Williams undertook a set of long-term investigations into the specific and comparative nature of language rights in Wales and in selected jurisdictions elsewhere in Europe and Canada (Williams 2014; 2025). Within this research programme, he interviewed senior civil servants, lawyers, departmental managers and politicians in the UK, Finland, Ireland and Canada.¹ In earlier interviews held in 2005–2008, some of the UK government lawyers located in the Welsh Office, who were responsible for drawing up the 1993 Welsh Language Act, argued that they did not believe that pursuing individual rights would be a productive approach. This was mainly because they believed that there was little or no agreement on the extent of any obligation in law to recognise the precise nature of individual rights. However, it was recognised that other international precedents had been adopted since then.

The lack of individual rights, let alone communal rights, is a serious matter and has been recognised as one of the key weaknesses in the current system (Lewis, E. 2022). Consequently, the issue of language rights, especially in the spheres of education, public administration, customer choice, consumer behaviour and employees' rights, has been a recurring element in the demand for new legislation since the inauguration of the National Assembly for Wales in 1999. Placing duties on the public sector to provide a bilingual service was no longer adequate. This is because, in comparison with 1993, the post-devolution public sector had been transformed and there has been a parallel fundamental change in the market-led provision of some core services, such as the former public utilities of gas, water and electricity supply. Consequently, it is claimed that consumers are confused as to what exactly their entitlement is to receive a range of services in their preferred language, hence the call for a reconfiguration in terms of individual rights rather than sectoral obligations.

2. Language Schemes Mandate Statutory Duties for Public Bodies

The Welsh Language Board (hereafter the Board) which operated from 1988 to 2012, was established as a statutory body under the 1993 Act to promote the Welsh language (it had previously acted in an advisory capacity to government). In its early phase, the Board was essentially a grant allocation body, steering its partners into certain activities. The 1993 Act made it obligatory for designated institutions in the public sector and the justice administration sector to adopt new ways of treating

Welsh and English on an equal basis, mainly through the preparation of Statutory Welsh Language Schemes. Under the Act, every organisation named by the Government was obliged to submit a draft Language Scheme to the Board for approval as an executive statutory scheme. For the first time, statutory regulations undergirded aspects of public administration and socioeconomic life of an increasingly bilingual and multicultural country.

In time, the Board became a recognised language planning body and the main formal, officially sanctioned body influencing language policy in Wales. This structural change was the result of a number of factors, amongst which were the Board's maturity and the increasing experience of its staff and members, a new operating framework and political system following the establishment of the National Assembly for Wales, a substantial increase in the Board's funding and, in consequence, its ability to act and take a leading role in emerging areas, e.g. marketing and the private sector. Most critical was the changing nature of the relationship between the Board and its constituent public, as one was less likely to hear accusations that it was irrelevant, ineffective or, as a former quango, a governmental stooge unwittingly involved in the deflection of attention away from the fundamental issue of securing full and free rights for Welsh speakers.

2.1 Statutory Duties

Statutory duties have largely been incorporated as an integral element of public administration and the administration of justice. After more than twenty years of experience in launching, reviewing and finessing specified duties, the public sector incorporated such duties into its routine practice, and indeed, in the most progressive elements, introduced innovative and high-quality interpretations and applications of such duties. Were the system to rely on goodwill alone, a great deal of the valuable improvements would not have been undertaken voluntarily. Thus, the statutory injunction has been crucial in realising language policy as social fact within public administration. As is often noted in fields as diverse as childcare, smoking and drink driving, were social behaviour correctly adjusted, then the legal enforcement of desired outcomes would not be necessary.

The statutory duty to treat Welsh and English "on the basis of equality" significantly increased the capacity of the public sector to operate in a bilingual fashion. However, structural inequality and inconsistency in bilingual service provision have rendered the system vulnerable and

open to accusations of being a fragmented and partial service rather than constituting a consistently uniform and pro-active system.

3. Statutory Mechanisms: Language Schemes

115

Under the Welsh Language Act 1993, Welsh Language Schemes were established as the main means of ensuring a bilingual service within the public sector, while treating both English and Welsh on the basis of equality. One may wish to question the original intention behind this method of service provision. Why was the language scheme chosen as the tool for changing expectations and behaviour within the public sector, and not, for instance, the recognition and reinforcement of individual language rights? The justification given for the Schemes was that they represented an instrumental means of securing public recognition that Welsh could be an appropriate language for public administration and local government. At the time, specifying basic language rights was deemed too difficult, as the legislative framework was not sufficiently well developed to guarantee their implementation.

Section 11 of the 1993 Act notes that the Welsh Language Scheme applies to public bodies (all sectors) and Crown bodies, as well as organisations eligible under the public service remit, e.g. water companies. Sections 5 to 16 concentrate on institutional duties and on the form, content and process of the preparation, consultation, approval and review of Language Schemes. Sections 12 and 13 of the Act specify that it is compulsory for a scheme to note a schedule for action, to offer a description of the manner in which a named body would ensure publicity for its scheme and how it would seek consultation with the public in accordance with the statutory guidance offered by the Board. The Board maintained the right to review the schemes every three years for local authorities and every five years for educational bodies.

A single statutory guideline (section 9 of the Act) for all public bodies in Wales deals with the following:

- A bilingual scheme
- Approach to service provision (in line with the principle of equality)
- New policies and initiatives
- Steps for the introduction of services
- Quality standards – for Welsh language services
- Dealing with the Welsh-speaking public
- The public face of the institution
- The implementation and supervision of the scheme.

The supervisory and implementation guidelines contain measures on evaluation and regulation in relation to human resources, language and vocational training, the administration of third-party agreement schemes, the supervision of the scheme, achieving targets, and the publication of information.

Compliance is the basic principle underlying Sections 17 to 20, where four aspects are discussed, namely investigations (section 17), complaints about non-compliance (section 18), reports on investigations (section 19) and directives from the Secretary of State (section 20).

3.1 What Kind of Response/Behaviour Do Statutory Mechanisms Seem to Produce?

The Board guided the process of agreeing on a scheme once the Minister had named an organisation under the Welsh Language Act 1993. Consequently, the Board's conduct was crucial to the success of the process, and thus the way it dealt with Language Schemes from day to day was significant. To date, over 534 schemes have been implemented.

In 2005, the EU, through the Svenska Kulturfonden, Foras na Gaeilge and the Board, commissioned an investigation into the nature of language legislation in Finland, Ireland and Wales. The three commissioned authors, Siv Sandberg, Peadar Ó Flatharta and myself, together with the project manager for Ireland, Pádraig Ó Ceithearnaigh, who at that time was the Director of the Stiúrthóir of Comhdháil Náisiúnta na Gaeilge, Dublin, delivered their findings, *From Act to Action*, to the Svenska Kulturfonden in February 2010 and published a revised edition in 2014 (Ó Flatharta et al. 2014). Four questions influenced the remit of this enquiry, namely:

1. What are the tools that can be employed in order to make contacts with the public service as successful as possible?
2. How are credible and effective systems for service provision in lesser-used languages established?
3. In what way are linguistic rights and language service criteria integrated as quality factors in the provision of public services?
4. What are the best mechanisms and systems that provide public services on equal terms in the lesser-used language? (Ó Flatharta et al. 2014).

Williams (2010) undertook a systematic analysis of the strengths and weaknesses of a range of institutions in Wales and the UK more generally to evaluate the extent to which they implemented the Welsh Language Schemes and what effect such reforms had on the provision,

utility and professional management of Welsh medium services. The research results produced by the From Act to Action project in terms of systemic comparisons are derived from Welsh public bodies and UK government departments. The Welsh local authorities chosen were Conwy, Gwynedd, Carmarthen, Caerphilly and Cardiff, and three public bodies, namely the North Wales Police, Carmarthen Health Board and Pembroke National Park Authority. Language Schemes also apply to UK Crown bodies and State Departments, and the observations here are derived from fieldwork undertaken within ten departments of the Home Office; the Central Information Office; the Department for Work and Pensions, including the DWP Network Agencies, e.g. Jobcentre Plus, Pension Service; the Disability and Careers Service, the Child Support Agency and other businesses.

3.2 Key Questions

In each institution, visited questions were asked about seven elements which were likely to affect the quality and nature of the bilingual service provided. The seven elements were as follows:

- The scope of the Language Act
- National supervision methods
- Implementation of the Language Scheme
- Supervision of the Language Scheme
- The range of Services
- Do the Language Schemes work?
- What improvements are needed?

Williams (2010) noted that the introduction of Welsh Language Schemes heralded a new way of treating Welsh as an integral element of public administration. Consequently, an important element of this investigation was an evaluation of the professional climate within which schemes operated. Clearly, the organisational culture within which the duty to prepare a bilingual service is handled is vital, since attitude, service and performance are all interrelated.

Evaluation of the fundamentals of the Scheme included:

- Offering the service
- Choice of language
- Customer-led practice
- Departmental schemes
- Monitoring the scheme
- The internal customer

- Translation requirements
- Staff appointments and training.

118

In addition, an evaluation was conducted on how public consultation was organised since this is a statutory requirement of the ratification process for the scheme, and such a provision is relatively rare in comparative perspective. Here, only the outline results will be presented, while a more nuanced and detailed interpretation is available in Williams (2010; 2013) and Ó Flatharta et al. (2014).

The principal finding is that there is strong evidence of compliance throughout the public sector with the Welsh Language Scheme guidelines. The introduction of the schemes transformed public administration in Wales by ensuring a new mindset with regard to operating bilingually. The language agenda is now part of the routine professional development of the public sector.

Of all the Welsh public bodies, Gwynedd County Council represented the most constructive example of best practice. The Council operates internally through the medium of Welsh; all memoranda and internal communications are in Welsh, as is its correspondence with other public bodies in Wales. It is evident that the ability of the majority of the population to speak Welsh is the main factor contributing to Gwynedd Council's commitment to and capacity to function bilingually. At the 2021 census, 64.4% of Gwynedd residents were identified as Welsh speakers. Yet, without committed political leadership exercised by the heads of organisations, it is unlikely that routine decisions would automatically favour Welsh as an official and *de facto* language in strongly Welsh speaking areas. The density of Welsh speakers does not necessarily lead to extensive use of the language within public bodies; one needs the authoritative influence of key stakeholders and power wielders to implement the policy. Thus, the determination shown by Senior Management has a strong influence on the commitment of the organisation. This was very evident in the case of Gwynedd, Conwy and particularly the North Wales Police, where the Chief Constable had been extremely supportive and proactive in increasing the practice of offering a bilingual service to the public. By contrast, where there was a visible lack of leadership and commitment, it is unlikely that the Scheme would fulfil the requirements of the organisation and the public. Apathy and an insular attitude towards the Welsh language characterised those cases where there was no obvious commitment to the Scheme on the part of political leaders or heads of departments. In turn, this was often accompanied by a lack of close, regular consultation on their part with the Board.

3.2.1 Bilingual services

Gwynedd led the way in the delivery of bilingual services, as it is the norm for public service behaviour there. Gwynedd readily engages in Welsh-medium written documentation, the discussion of complex matters in Welsh, together with effective correspondence and the creation of a positive and supportive bilingual work culture. It has been successful in developing its bilingual corporate identity in its relations with other public institutions. By contrast, most of the other organisations in the sample provided an incomplete service, although there were signs of a gradual improvement. Much has been done to raise language awareness within sectors such as the social care and childcare sectors. Historically, the vast majority of front-line staff in Welsh public institutions served the public in English only. But the requirements of the WLS guidelines, together with pressure and advice from the Board, have resulted in the appointment of language officers and the delivery of Welsh language awareness training courses. Consequently, as one of the six designated performance indicators, public authorities are required to record their success in evaluating the number of staff who have received language awareness and higher-level Welsh skills training.

3.2.2 Training

Language training and awareness were particularly good in Gwynedd and North Wales Police, reasonable in other cases and weak in one case. Most local authorities had been content to appoint staff in the expectation that they would make an effort to learn or improve their Welsh. However, all County Councils and the North Wales Police now take language skills into consideration when appointing. Naturally, this strengthens their capacity to operate bilingually. The Rhwydiaith network and training companies such as IAITH engage in a range of courses, starting with language awareness training, which presents basic statutory information about Welsh; moving on to bilingual development training, which deals with administrative procedures, before focussing on language practice training, which deals with practical procedures and work practices together with the interrelationships of individuals in the workplace and the promotion of language sensitivity and appropriateness. What was not anticipated by the investigation was the low number of official complaints received by Councils and organisations from the general public. Consequently, such citizen pressure did not weigh as heavily as the professional commitment of staff as an incentive

to improve services. This needs further investigation, for in theory one would have expected a far higher degree of customer complaints operating as a driving force in the improvement of service delivery.

3.2.3 Resources

Resources and partnerships have an enormous impact on service quality. Face to face oral services tend not to be provided to the extent that would be expected in many situations. Welsh speakers have had to make special arrangements to use Welsh, and on a number of occasions, evidence was obtained that the required material or service was available to the public in English only. Clearly, then, not all the measures contained in a Scheme are implemented, and there are examples of Welsh language services suffering because of a lack of staff, lack of finance and lack of commitment. As a result, one does not necessarily receive a high-quality service. In general, county councils ensure a commitment to their Schemes when they lead partnerships and contract third-party operators. But in the case of other organisations, there is strong evidence to show that, when this is not the case, there is a corresponding increase in the number of complaints regarding poor quality service.

3.2.4 Implementation Strategies

In respect of implementation strategies, there are a number of particularly good examples, especially North Wales Police. Language officers are crucial to the implementation stage and, as a group, they have matured to become a competent cohort of professionals, often working in difficult circumstances. As in every institution, on occasion, a clash can arise between the specific requirements and demands of the post and the interests of promoting Welsh throughout the organisation. The evidence suggests that language officers are first and foremost answerable to their employers, and are acutely aware of their position within the larger organisation. In general, the language officers were relatively young, often in their first posts, full of enthusiasm for the language but learning how to operate within a very large organisation. The most successful felt that they received support at the highest level, whether from a senior manager, a chief officer or the chair of an institution. Those who were struggling felt that they were perceived primarily as translators and not regarded as facilitators with a strategic contribution to make to the institution. Language Scheme objectives are sometimes hindered by a number of factors which are common across many insti-

tutions. They include the reticence shown by middle management, a lack of practice/confidence among staff to operate bilingually and a lack of mainstreaming strategies by which Welsh could be given greater visibility and purchase in delivering services.

121

4. Territorial Responsibilities

The UK government, through its Westminster legislation, the operation of Crown bodies and government departments, and its European Treaty obligations, e.g. the European Charter for Regional or Minority Languages, is the highest-level authority charged with various responsibilities in respect of the welfare of the Welsh language and of Welsh-speaking citizens.

The Welsh Government is responsible for determining language policy within its spheres of competence. Following the abolition of the Board in April 2012, the Cymraeg 2050 civil servants of the Welsh Government formulate and monitor language policy and promote initiatives in several sectors.

The principal means by which public services (through agreed Language Schemes) were realised are the 22 Local Authorities in Wales, together with a host of specific bodies within the respective fields of health, further and higher education. All local authorities are now subject to Welsh language standards under the Welsh Language (Wales) Measure 2011.

Below this, there are a range of other actors involved in the implementation of planning at the micro level, including Community Councils, a network of Mentrau Iaith (language enterprise initiatives), Welsh for Adult Classes run both by designated consortia, together with the whole gamut of the voluntary sector and, in some specified areas, an amalgam of local actors, sponsors and partners who come together to forge stronger Welsh-medium or bilingual social networks.

Returning to the macro scale, especially UK government departments, the number and scope of bilingual Welsh/English services available within the UK is relatively more significant than was initially acknowledged. Williams scrutinised the impact of the Welsh Language Act in the work of the following UK government agencies: ten departments in the Home Office, the (now defunct) Central Office of Information, the Department for Work and Pensions, including the Agencies, e.g. Jobcentre Plus, Pension Service and Disability and Careers Service, the Child Support Agency and other businesses. While the headquarters of a number of government departments are located in London, Sheffield

or Newcastle, several also have offices in Wales, with a prominent cluster in Cardiff. The constant interaction between the HQ department and the Welsh-based offices produced some degree of co-ordination and cohesion in the preparation and implementation of bilingual services. However, the interests of serving a bilingual clientele are a relatively low priority within main-line UK government departments.

In contrast to the Gaelic Language (Scotland) Act of 2005, which received Royal Assent on 1 June 2005 and was implemented on 13 February 2006, and deals with language matters within Scotland only, elements of the 1993 Welsh Language Act extend to the whole of the United Kingdom wherever services are offered to Welsh speakers. Several agencies outside Wales offer a bilingual service, for example, the Student Loan Agency, which offers finance to students throughout the UK and is based in Glasgow, and the government department (DEFRA – Department of Environment, Food and Rural Affairs) monitoring animal movement, which is based in Whitehaven, Cumbria. Both are required to provide Welsh-medium services and employ Welsh speakers and are obliged to prepare a Welsh Language Scheme.

4.1 Top-Down Communication: Monitoring

All of the UK organisations conduct regular internal audits on the nature of their services in order to identify weaknesses and poor practice. Yet, to what extent these weaknesses were shared within the institution and with the Board is a different matter. For some, the monitoring process itself was the crucial task; for others, the aim was to try to ensure progress and the strengthening of the service. Although there were not many official complaints, the process of monitoring complaints tended to inform improvements in almost every case. Certainly, the entire process benefits incrementally from the development of good practice as the schemes are renewed.

Thus, sound practical ideas become mainstreamed throughout the system, as the Board reported back directly to the institution and routinely included examples of good practice (anonymously) in the generic advice and guidelines offered to public bodies.

4.2 Top-Down Communication: Review

As regards UK government departments, the task of implementing and reviewing the Scheme has been devolved to unit managers, who in turn have recruited language officers. This was particularly the case in the Home Office, as they dealt with the requirements of the Prison Service

and the Police, and the Department for Work and Pensions. Only a minority of such language officers were Welsh speakers, as was the case in the Central Office of Information, Jobcentre Plus, the Pension Service and the Disability and Careers Service, most having been appointed specifically to oversee the activities of a department in the wake of the new responsibilities occasioned by the Scheme. Notwithstanding this, language officers and managers tend to be very committed to the Schemes. They recognised that it was a statutory requirement to implement them in accordance with their professional training and obligations.

At the beginning of the fieldwork, the UK civil service was undergoing structural change, as its time-honoured departmental operating systems were being replaced by a more uniform and generic method of working. In one respect, this makes it easier for good practice to diffuse from one part of the civil service to another. Nevertheless, in the case of Welsh Language Schemes, there was hardly any interdepartmental cooperation or generic discussion regarding their implementation. The administrative culture of very large departments is essentially inward-looking and self-contained. In consequence, it is almost impossible to justify holding a joint seminar or a joint language awareness course for a number of staff, especially in the London area. As a result of this lack of cross-fertilisation, a number of examples were found of Schemes which had not been implemented due to the lack of suitable staff, or the absence of any staff who had received in-service training to respond to the Welsh Language Act's requirements and the Scheme guidelines.

This was due in part to a lack of recognition of the relevance of bilingual issues within some departments. However, it also stemmed directly from a lack of guidance, or the political/administrative decisions by some UK Ministers who refused to acknowledge their duties. One prominent case was David Blunkett's reluctance to implement the Scheme while he was Minister at the Home Office. Within three weeks of Charles Clarke becoming Home Secretary in 2004, he had ensured that there was a process in place to deal with the procedure of non-compliance with the Board's guidelines.

Another tendency was for UK civil servants to argue that, since the vast majority of the work involved translating documentation and forms, it would only be a matter of time before machine-readable translations enabled them to offer the highest possible service in a range of languages, including Welsh. They saw little to distinguish the Welsh-speaking client/customer from those who spoke Gujarati or Urdu. They favoured a generic IT solution to the needs of Welsh speakers rather

than seeking to construct a bespoke customised service to fulfil the requirements of the Scheme. This tendency has continued, with senior civil servants advocating the advantages of AI in the performance of their duties.

4.3 Top-Down Communication: Penalties

Over 3,100 complaints had been received since the Board was established. The Board's procedures for responding to and following up complaints were particularly good. The framework for recording, filing, responding to and investigating complaints was extremely balanced and professional. There is strong evidence that the Board was conscientious in its monitoring and involvement with public bodies in Wales, chiefly because it wished to work with them in a constructive manner rather than being viewed as a threat or as a body which policed language interests. Internal changes in the way the Board's compliance officers dealt with public bodies in the 2005–2012 period also led to closer co-operation, so that organisations had increasing confidence in the Board and many were treated with a light touch as they developed successive Schemes.

However, the Board was much less effective in its dealings with those Crown bodies and other organisations which disregarded its injunctions and advice. In just a few serious cases, the Board had considered asking the Minister to intervene. In truth, the Board was reliant more on persuasion and good practice than it was on statutory intervention and penalisation. Unlike the situation in Ireland, the Board could not fine bodies or compensate those individuals from its own coffers who demonstrably had not received a reasonable standard of Welsh-medium services.

Where there is a strong political and administrative commitment to promoting bilingual services within the public sector, the system seems well able to realise and surpass the expectations of the framers of the Welsh Language Act 1993. The Welsh language has become an integral part of public administration and thus subject to the same routine scrutiny, innovation and tempering as most other facets of public service delivery.

Yet, the sector continued to face several challenges, notably in relation to the wide variation identified in the operation and implementation of Language Schemes. Such inconsistencies called into question the sufficiency of the current arrangements under the Welsh Language Act in guaranteeing minimum expectations of adequate service delivery.

An additional complication was the relationship between Crown bodies and the Board in terms of statutory duties, obligations and compliance matters. This was one strand among many which led government to consider replacing the Board with a Welsh Language Commissioner, who would have wider statutory powers to command obedience to primary legislation.

4.4 Responsibility Structure and the Key Actors

Some officers and local authority leaders had criticised the Board for not regulating the Scheme process more rigorously, though this can be interpreted as an excuse by the weakest for not committing themselves to the full implementation of the 1993 Act. In the early days of the operation of the Scheme, from 1996 onwards, the Board's operative culture and leadership tended to be far more prescriptive since it wanted to ensure that the new process was successful. By 2008, after a long period of interaction and progressing a non-politicising agenda, the Board believed that the strongest and more robust public bodies could be entrusted to implement and refine their schemes with a minimum of direct interference, since they often went beyond the system's core guidelines. Indeed, forward-looking bodies such as North Wales Police continuously raised public expectations and increased the pressure on other parts of the system, e.g. the Home Office and other Welsh Police Forces, to raise their standards.

4.5 Nature of Responsibility

The flexibility of Schemes reflects the maturity of the process. Indeed, it is possible to envisage that different kinds of statutory guidelines could be prepared for various bodies. However, there were fears that this type of flexible, subsidiarity-based action could lead to complacency or to the Board losing its core remit in directing the operation of the Act. One way of avoiding this would be to set robust targets for the mid-term; another way would be to standardise and rationalise the system, so that Crown bodies, especially, came under the Board's direct regulation. Either way, the quality and nature of the service were deemed to be in need of improvement.

The prevailing system, 1993–2012, was particularly good in developing an organisation's capacity to prepare Language Schemes. However, it did not place a duty upon organisations to provide information to the Board as required as part of any statutory investigation under section 17 of the Act into the lack of implementation of a language

scheme. Organisations had taken advantage of this weakness and had refused to cooperate and provide the Board with basic information. In consequence, the Board's statutory powers were exposed as being insufficient for the task at hand.

The relationship between the Board and UK Government Departments was generally good. However, this delegated responsibility for implementing the then prevailing language legislation points up a number of weaknesses in the system. The influence of the 1993 Act with regard to Crown bodies, such as UK Government departments (including the Wales Assembly Government) and a number of their agencies, is a good example of the weakness of the legislation. The Board's powers to require organisations to prepare Language Schemes and then to approve them did not extend to Crown bodies, even though there was a tacit political understanding that the UK government would honour the operation of Language Schemes within a number of its departments, following an agreed negotiation with the Board. Similar weaknesses may be noted with regard to the Board's power to review the content of schemes, and in the case of the Government, the power to insist upon the implementation of Schemes. Rather, the Board had to depend upon the goodwill of Crown bodies. The weakness of being too reliant on goodwill has been manifest in the fact that some Crown bodies have taken twice as long as other bodies to prepare Language Schemes. Having said that, other Crown bodies have managed to prepare their schemes within six months. On other occasions, Crown bodies have refused to implement the content of their Language Schemes – and political intervention at the highest Ministerial level has been necessary to remedy the situation. Thus, the key variables are the attitude and resources of the respective organisation. In the case of the Crown bodies in general, it was the fundamental power to oblige them to act which was lacking, not the mechanism of preparing and agreeing a scheme.

Williams (2010) argued that this situation did not appear to be either acceptable or reasonable. Consistency and clarity were needed, and the same expectations and standards should be imposed on Crown bodies as on other public bodies. The Welsh Government had already suggested, in the evidence it provided to the Richard Commission, that Crown bodies should be brought completely within the scope of the 1993 Act. Williams further argued that it was important that the Government attempt to remedy this unacceptable situation before considering the transfer of substantial powers to a new regulator or Language Commissioner.

Under Section 10 (4)–(6) of the 1993 Act, the Assembly was required to obtain Westminster's approval for any revisions to the Board's

statutory guidelines on the preparation of Language Schemes. The 1993 Act also established the principle that Welsh and English should be treated on the basis of equality, as far as appropriate under the circumstances and as is reasonably practicable. An obvious tension exists within the above clause, both conceptually and on a practical level. The Scheme is the preferred instrument by which this tension could be resolved. Nevertheless, it is fair to say that bodies often use the clause concerning appropriateness and reasonableness in a capricious way, so as to avoid having to take responsibility and act in a manner which treats both languages on the basis of equality.

Williams (2010) further argued that it was conceivable to suggest that the clause dealing with appropriateness and reasonableness be repealed. Such a step, together with establishing Welsh as an official language, would give a substantial impetus to, and reinforce, the status of Welsh. It would also demonstrate the Government's commitment to the promotion and preservation of the language. And yet ultimately, the chief weakness of the system was that it is institutional responsibilities rather than individual rights which animate the legislative context. Thus, the main features of the Act are that it has established a statutory foundation for the improvement of bilingual services, but the reluctance of Crown bodies and some other agencies to comply is an evident weakness. This specific element was in obvious need of being strengthened within any proposed revision.

4.6 Longevity

In 2004, the Welsh Government announced its intention to abolish the Board. Between 2007 and 2011, both the UK Westminster Parliament and the National Assembly for Wales scrutinized a Legislative Competence Order (LCO) which would transfer responsibility for legislation and policy formulation on the Welsh language from Westminster to the National Assembly for Wales in Cardiff. When passed, this LCO granted increased legislative devolution to the Assembly and made it the principal body responsible for future Welsh language measures in Wales. The LCO also contributed to the transformation of the Assembly from a secondary to a primary legislative body; in short, it moved closer to a conventional parliament, at least in relation to the twenty policy domains for which it was responsible. By reinforcing the powers of the Assembly in respect of its competences to legislate, a second layer was added to the overall impact of the Welsh Language Act 1993, as the Westminster Parliament would retain legislative responsibility for the Welsh language throughout the UK and beyond.

In May 2009, after careful scrutiny of the LCO and receiving a range of written evidence and oral testimony, the Assembly (Legislative Committee no. 5) recommended full transfer of competence for Welsh to itself. It also recommended expanding the scope of the Order to include: partnership bodies providing services to the public; transport services including rail, bus, air travel and sea; and large financial institutions, including banks. The Committee supported the inclusion of public sector organisations; utility services; telecommunications services; postal services and post offices; education, training or career guidance and educational qualifications services as proposed in the order by the Welsh government. (National Assembly for Wales 2009).

Both the Westminster and Cardiff-based scrutiny committees identified four implications in their political and legislative deliberations over the LCO. They relate to: a) the future of the Board; b) the establishment of a Language Commissioner; c) the need to specify language rights; d) the extension of Schemes to parts of the private and voluntary sectors.

Underlying the discussions was a realization that the most practical solution could be to transfer the duties and responsibilities for Regulation and Statutory Affairs, Rights and Language Schemes, Private Sector and Terminology Centre to a newly established Welsh Language Commissioner. The promotional and policy functions which were exercised by the Board would then be transferred to the Welsh Government.

4.7 Political Support

At the UK and Welsh level, the four political parties actively involved in the debate and determination of language policy reached a consensus in the late nineties not to make the Welsh language a *cause célèbre* at each election they contested. There is a consensus and a settled will among them that the language issue, which for most of the twentieth century had been a cause of conflict, should from now on be de-politicised. Clearly, this has not been met with favour in all circles, especially the more radical elements within the political parties and among language campaigners. However, increasingly the language is more often treated as a public good than as an expression of a minority identity. This acquires salience especially as the ethnolinguistic, racial and geographical bases of the Welsh-speaking population are expanded. Statutory educational reforms, intermarriage patterns and other factors encourage the increase in the number and variety of new speakers added to the mix, resulting in a refashioned cultural pluralism and civic identity more in keeping with other European multilingual population (Williams 2023).

The real debate in terms of political opinion divides along two lines. The first is constitutional and relates to the extent to which UK devolution is an on-going process whereby more and more responsibilities and competences, including enhanced legislative competence and tax-varying powers, should be transferred to Cardiff from Westminster. The second is a debate concerning the degree to which central government should determine the contours of local government democracy and finance and the discharge of its duties. Often, this is expressed in the issue of citizen or parental choice in terms of education, public service provision, health and welfare issues and the like. The twin elements of contention are the extent to which direct government intervention in the decision-making and resultant behaviour of citizens is to be encouraged, and, in a related fashion, the extent to which public finance should be used to support certain interventionist measures.

The results of the investigation indicate that bilingual services have improved dramatically, but that there has been a lack of consistency and quality which prevents the public from receiving an equitable service. Although the flexibility of the system of agreeing Schemes was to be welcomed, the element of compliance needed to be strengthened in relation to extending the Board's statutory remit. A firm legal foundation and an effective language planning strategy would strengthen this aspect of language policy so as to construct a more robust national context within which a greater emphasis could be placed on service delivery at the local level.

The question might be asked whether the relationship between the main protagonists is too close. Further, what is the role of the citizen in influencing policy trends, both on a national and local level and in identifying needs and complaints? The best supportive evidence would be far greater use of the services currently available, let alone agitating for them to be extended to new contexts. But to do this, there needs to be a change in the attitudes, behaviour and expectations of many people within the system. This is not just a matter of improving staff language awareness in progressive, committed organisations. There are deep structural problems in the education system in that it does not ensure that enough workers have the key requisite communicative skills as they enter the employment market. Of course, this is also true of our behaviour as customers. Legislation can create new opportunities, but it is the socialisation processes, chiefly the education system within a strong civil society, which develop an ability and desire to make the most of the opportunities available.

4.8 The Limits of Regulatory Provision

If the aim of legislation in favour of greater usage of the Welsh language was to change institutional and individual behaviour so that a more progressive, active offer of bilingual service would result, then one would conclude that the Welsh Language Act 1993 has been a partial success. It has transformed the institutional landscape of Welsh public administration, but the quality and frequency of service delivery were still uneven and fragmented. Three principal structural weaknesses were identified by Williams's research and reported to the Board, the UK Parliament and the National Assembly Scrutiny Committees. They are, first, the over-reliance of the system on statutory duties and the under-representation of language rights; second, the inability of the Board to enforce its compliance measures, especially in relation to recalcitrant institutions and Crown bodies; and third, the unclear status of Welsh, the lack of protection for workers' rights when employing Welsh in the workplace and the degree to which future policy of an inclusive bilingual Wales would embrace the private and voluntary sectors and encourage them to offer a comprehensive range of bilingual services.

4.9 Reform and Action: Towards a New Language Regime

Following the authorisation of the Assembly to initiate primary legislation in a designated number of devolved policy spheres, the Welsh Language (Wales) Measure was passed by the National Assembly in December 2010. The Measure abolished the Welsh Language Board and established a Welsh Language Commissioner (April 2012) and made provision for a set of national Welsh Language Standards which would replace the Language Schemes. The Senedd was officially named Senedd Cymru or Welsh Parliament on 6 May 2020, a change from its previous name, the National Assembly for Wales. This bilingual name was chosen to reflect the institution's full status as a national parliament with expanded law-making powers. In May 2026, its membership was raised to 96 representatives from its previous 60.

Within the strengthened system, both governance and policy formation are now more diffuse (Lewis & Royles 2022), with an additional actor, the Welsh Language Commissioner, commanding attention.

The Commissioner is answerable to the Senedd, which scrutinizes its work, and is funded by the Welsh Ministers. While the role is independent, it is subject to scrutiny by the Senedd's Culture, Communications, Welsh Language, Sport and International Relations Committee, and publishes an annual report and accounts, which are subject to audit by Audit Wales.

Fourteen years on from its inception, the Welsh Language Commissioner is now fully functional. It has made significant internal reforms, some changes to its responsibilities, and challenged the reach of its remit vis-à-vis a Crown body. Of major interest is how the Language Standards, particularly those concerned with service delivery, which are the core of the Measure, will play out in society. Much of the strength of the Language Standards is that they are more binding and subject to far greater regulatory control than were the Language Schemes, so that the principle of equal treatment and consistency should be well served if the new system is implemented rigorously.

Among the institutional challenges which the Commissioner faces are the issue of legitimizing the role and her office. It could be argued that a more regular initiation of investigations of poor practice or non-compliance in spheres such as healthcare, education, public administration or even the Welsh Government's own non-compliance has certainly demonstrated the independence of the office, but with what medium-term implications?

It seems evident that some additional work will have to be undertaken to define and finesse the relationship between the promotion of Welsh as an official language and its regulation in terms of the compliance functions of the Welsh Language Measure, i.e. statutory regulation. Additionally, one may ask how the Welsh Language Commissioner can really influence behaviour and initiate reform within the public administration system and with the Welsh public writ large. Part of the answer will undoubtedly be influenced by the style, authority and character of the prime office holder and senior colleagues, and in consequence one may ask what weighting should be given to advocacy and a proactive stance in operationalising the remit of the post?

The Language Standards are duties imposed on organisations by the Commissioner to use the Welsh language in the following areas: service delivery; policy making; formulating new policy; operational matters; promotion; record keeping. In 2025, Welsh Language legislation saw expansion, including the passing of the Welsh Language and Education (Wales) Act, which aimed to promote the language through education to reach a target of 1 million speakers by 2050. New regulations were made in January 2025 to extend the standards regime to additional bodies, and work is progressing on standards for sectors such as housing associations and public transport.

Language Standards are a unique feature of the Welsh model which to date have transformed the institutionalisation of Welsh as a language of work and service in many organisations. The most important

structural change is a new co-regulatory approach whereby organisations become much more responsible themselves, resulting in agencies internalising reforms, including performance monitoring, so that they may facilitate early resolution. The current system allows for a simplified and quicker handling of most complaints (Williams 2026).

The current Commissioner, Efa Gruffudd Jones, has adopted a robust approach to communicating both to those in authority and to the general public. Accordingly, reports, responses to consultations and stand-alone publications on significant issues characterise the current situation. Thus, for example, in 2025, consultative responses were produced on sustainable farming schemes, government priorities on Welsh culture, the review of Senedd constituencies, AI and the Welsh economy, post-compulsory education and Welsh learners, complementing earlier responses in 2024 on dementia care, funding proposals for the BBC, and technology. A significant focus has been a series of investigations in the fields of healthcare and patients' rights.

The key document which reflects the Commissioner's views and actions is the Annual Report. It may be taken as one of the most comprehensive and authoritative interpretations of the condition of the Welsh language. Her 2024–25 Annual Report provides information on four strategic objectives, namely: to ensure fairness, justice and rights for Welsh speakers; to ensure that the Welsh language is a consideration in policy and legislation; to maintain and increase organisations' compliance with their statutory duties; and to increase the use of Welsh by organisations across all sectors (Welsh Language Commissioner 2025). The various actions to advance each of these objectives reflect a purposeful and dynamic approach, so much so that the Commissioner is one of the prime drivers of change to realise a fully functional bilingual society.

5. Conclusion

Doubtless, now that the revised Welsh system with a plethora of Language Standards is fully operational, there are some additional challenges. The most critical is to make the new system work in a timely and professional fashion. A related medium-term challenge is how best to develop additional legislative measures in relation to language policy and the creep towards defining rights in this field? An underlying thread in the discussion is the proposition that in time the Commissioner would be charged with putting forward draft proposals by which the notion of language rights might be realised as legislative fact by the

Senedd. This proposition goes far beyond the adjudicative role of an Ombudsman or Auditor General. Cumulatively, the Cymraeg 2050 civil servants and government legal specialists will interact with the Commissioner as they seek to reflect advances in policy development in law. In that respect, the Commissioner will have a more pro-active rights role than that currently exercised by all the other subject Commissioners in Wales, whose mandates derive from an earlier period and have not been determined by primary legislation with an express obligation to develop a rights agenda. It also seems probable that the strategic target of producing a million Welsh speakers by 2050 will be realised, although to what extent the majority will be fully competent and regular users of the language in most domains is open to question.

Acknowledgments

I am grateful to my co-researchers Siv Sandberg, the late Peadar Ó Flatharta, and Padraig Ó Ceithearnaigh for their willingness to allow me to use sections of the original study in this application to a Welsh context. I am also grateful to Prof. Diarmait Mac Giolla Chríost, Dr Steve Eaves and Dr Ifor Gruffydd for the work they did under my direction on selected case studies within Wales.

References

- Gaelic Language (Scotland) Act*, 2005, <https://www.legislation.gov.uk/asp/2005/7/contents> (accessed 7 Jun 2026).
- Government of Canada, 2023. *Action Plan for Official Languages 2023–2028*. Government of Canada, Ottawa.
- Government of Ireland, 2009. *Twenty Year Strategy for the Irish Language, 2010–2030*. Government of Ireland, Dublin.
- Government of Wales, 2017. *Cymraeg 2050*. Government of Wales, Cardiff.
- Laws in Wales Act*, 1535, <https://www.legislation.gov.uk/aep/Hen8/27/26/1991-02-01/data.html> (accessed 7 Jun 2026).
- Lewis, E., 2022. Language Rights, Human Rights and the Right to Chat. In W. McLeod, R. Dunbar, K. Jones & J. Walsh (eds.) *Language, Policy and Territory*. Springer, London, 39–61.
- Lewis, H. & McLeod, W., 2021. Governance, Policy-Making and Language Revitalisation. In H. Lewis & W. McLeod, W. (eds.) *Language Revitalisation and Social Transformation*. Palgrave Macmillan, London, 343–362, doi: 10.1007/978-3-030-80189-2_13

- Lewis, H. & Royles, E., 2022. Examining the Political Origins of Language Policies. In W. McLeod, R. Dunbar, K. Jones & J. Walsh (eds.) *Language, Policy and Territory*. Springer, London, 19–37, doi: 10.1007/978-3-030-94346-2_2
- National Assembly for Wales, 2009. *Consultation on the Proposed National Assembly for Wales (Legislative Competence) (Welsh Language) Order 2009: Response Paper by the Welsh Language Society*. National Assembly for Wales, Legislative Committee No 5, Cardiff, https://senedd.wales/media/vzgp13ng/ig9_o__welsh_language_society_e-english.pdf (accessed 7 Jun 2026).
- Ó Flatharta, P., Sandberg, S. & Williams, C. H., 2014. *From Act to Action: Implementing Language Legislation in Finland, Ireland and Wales*. Fiontar, Dublin City University, Dublin.
- Roddick, W., 2007. One Nation-Two Voices? The Welsh Language in the Governance of Wales. In C. H. Williams (ed.) *Language and Governance*. University of Wales Press, Cardiff, 263–292.
- Welsh Assembly Government, 2003. *Iaith Pawb: A National Action Plan for a Bilingual Wales*. Welsh Assembly Government, Cardiff.
- Welsh Courts Act*, 1942, <https://www.legislation.gov.uk/ukpga/Geo6/5-6/40/enacted> (accessed 13 Jun 2026).
- Welsh Government, 2017. *Cymraeg 2050*. Welsh Government, Cardiff.
- Welsh Language Act*, 1967, <https://www.legislation.gov.uk/ukpga/1967/66/introduction/enacted?view=plain> (accessed 7 Jun 2026).
- Welsh Language Act*, 1993, <https://www.legislation.gov.uk/ukpga/1993/38/contents> (accessed 7 Jun 2026).
- Welsh Language Board, 1988–2012, <https://www.webarchive.org.uk/> [All Welsh Language Board documents referenced in this article are archived on an archive of the Board’s website via the British Library. Unfortunately, at the time of publishing this article, the UK Web Archive is unavailable due to a cyber attack.]
- Welsh Language Commissioner, 2025. *Annual Report, 2024*. Welsh Language Commissioner, Cardiff.
- Welsh Language (Wales) Measure*, 2011, <https://www.legislation.gov.uk/mwa/2011/1/contents> (accessed 7 Jun 2026).
- Williams, C. H., 2010. From Act to Action in Wales. In D. Morris (ed.) *Welsh in the Twenty-First Century*. University of Wales Press, Cardiff, 36–60.
- Williams, C. H., 2013. *Official Language Strategies*. The Network to Promote Linguistic Diversity, Cardiff.
- Williams, C. H., 2014. The Lightning Veil: Language Revitalization in Wales. *Review of Research in Education* 38 (1), 242–272.
- Williams, C. H., 2023. *Language Policy and the New Speaker Challenge*. Cambridge University Press, Cambridge.

Williams, C. H., 2025. *Official Language Regimes*. Palgrave Macmillan, London.

Williams, C. H., 2026. *Minority Language Revitalisation and Regulation*. Edinburgh University Press, Edinburgh.

Notes

¹ Unless otherwise indicated all evaluations are mine based on interviews.

Jezikovne strategije, sheme in standardi v Walesu

Izvleček

Članek obravnava sistemske spremembe na področju zakonodaje o valižanskem jeziku v zadnjih tridesetih letih, s poudarkom na razvoju uradnih strategij za njegovo revitalizacijo. Medtem ko Kanada in Irska priznavata različne stopnje individualnih in skupnostnih jezikovnih pravic, Wales nima jasno opredeljenih individualnih pravic, temveč se osredotoča predvsem na obveznosti organizacij. Svet za valižanski jezik (Welsh Language Board), ustanovljen na podlagi Zakona o valižanskem jeziku (*Welsh Language Act*) iz leta 1993, je javnim organom naložil pripravo jezikovnih shem za valižanski jezik. Kljub izboljšavam sta se stopnja skladnosti in kakovost storitev razlikovali, zlasti med posameznimi državnimi organi. V želji po večji zaščiti valižanskega jezika je bil leta 2012 ustanovljen komisar za valižanski jezik, ki je uvedel jezikovne standarde, namenjene izboljšanju izvajanja javnih storitev. Nedavno sprejeta zakonodaja, vključno z Zakonom o valižanskem jeziku in izobraževanju (*Welsh Language and Education Act*) iz leta 2025, si prizadeva povečati število govorcev valižanščine na en milijon do leta 2050. Čeprav komisar zavzema proaktiven pristop, ostajajo izzivi pri zagotavljanju doslednosti in odpravljanju strukturnih pomanjkljivosti prejšnjega sistema. Študija poudarja potrebo po nadaljnjih zakonodajnih reformah in usklajeni strategiji za popolno vključitev valižanščine v javno življenje ter za spodbujanje dvojezične družbe, ki bo ustrezala potrebam njenih govorcev.

Ključne besede

valižanščina, jezikovna politika, vladni cilji, novi govorniki, krčenje območij tradicionalne rabe jezika