



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

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# Investigation under Section 17 of the Welsh Language Act 1993

## HM Prison and Probation Service

The Welsh Language Commissioner's report and recommendations issued  
under section 19 of the Welsh Language Act 1993

Reference Number YCI003

Publication date: 8 June 2026

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1	Context	1
2	Basis of the investigation	2
3	The investigation	5
4	The evidence	7
5	Conclusions	14
6	Recommendations	19

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# Foreword

This investigation report is issued by the Welsh Language Commissioner (the Commissioner) in accordance with section 19 of the Welsh Language Act 1993 (the Act) following the transferral of relevant functions under the Act to the Commissioner through a series of statutory instruments.

## Part II Welsh Language Act 1993

### ○ Compliance with schemes – Investigations

An investigation is held into the possible failure of a public body to implement its language scheme under section 17 of the Act:

*17.- (1) Where it appears to the Board<sup>1</sup>, whether on a complaint made to it under section 18 below or otherwise, that a public body may have failed to carry out a scheme approved by the Board, the Board may conduct an investigation in order to ascertain whether there has been a failure.*

*(2) The procedure for conducting an investigation under this section shall be such as the Board considers appropriate in the circumstances of the case, and in particular an investigation may be conducted in private.*

### ○ Compliance with schemes – Complaints of non-compliance

Section 18 of the Act applies when an individual submits a complaint regarding a public body's failure to implement its language scheme:

*18. – (1) This section applies where –*

*(a) a written complaint is made to the Board by a person who claims to have been directly affected by a failure of a public body to carry out a scheme approved by the Board,*

*(b) the complaint is made within the period of twelve months beginning with the day on which the complainant first knew of the matters alleged in the complaint, and*

*(c) the Board is satisfied that the complainant has brought the matter complained of to the notice of the public body concerned and that that body has had a reasonable opportunity to consider it and to respond.*

*(2) Where this section applies, the Board shall either investigate that complaint under section 17 above or shall send to the complainant a statement of its reasons for not doing so.*

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<sup>1</sup> The Welsh Language Board was abolished on 31 March 2012 and investigatory power was transferred to the Welsh Language Commissioner on 1 April 2012. Any reference to the Board in this foreword equates to a reference to the Commissioner.

## ○ Compliance with schemes – Reports on investigations

A report is to be produced under section 19 of the Act based on the findings of the investigation:

*19. – Where the Board undertakes an investigation under section 1, above, it shall send a report of the results of the investigation to the public body concerned, to the Secretary of State<sup>2</sup> and, where the investigation is conducted on a complaint made under section 17 above, to the complainant.*

*(2) Where the Board considers that it would be appropriate for a report of the results of an investigation to be published, either in the form of the report made under subsection (1) above or in some other form, the Board may arrange for publication in such manner as it thinks fit.*

*(3) Where on completing an investigation the Board is satisfied that the public body concerned has failed to carry out the scheme, the Board may include in its report recommendations as to action to be taken by the public body in order to remedy the failure or to avoid future failures.*

## ○ Compliance with schemes – Directions by Secretary of State

If, following the publication of a report, the Commissioner believes that a public body has failed to implement the actions recommended by the Commissioner, the Commissioner may refer the matter to the Minister responsible for the Welsh language:

*20. – If at any time it appears to the Board that a public body has failed to take any action recommended in a report under section 1 above, the Board may refer the matter to the Secretary of State.*

*(2) If on a reference under this section the Secretary of State is satisfied, after considering any representations made to him by the Board and by the public body concerned, that the body has failed to take any action recommended in the report, he may give such directions to the public body as he considers appropriate.*

*(3) Any directions given by the Secretary of State under subsection (2) above shall be enforceable, on an application made by him, by mandamus.*

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<sup>2</sup>Following the establishment of the National Assembly for Wales in 1999, reports under section 19 of the Act are sent to the Welsh Government Minister responsible for the Welsh language.

# 1 Context

- 1.1 His Majesty's Prison and Probation Service has a Welsh language scheme prepared under section 21 of the Welsh Language Act 1993 (the Act). The Welsh language scheme was approved on 2 September 2025.
- 1.2 The language scheme states that HM Prison and Probation Service has adopted the principle that it will treat the Welsh language and the English language on the basis that they are equal when conducting public business in Wales. The Scheme sets out how HM Prison and Probation Service will give effect to that principle when providing services to the public.
- 1.3 The principal aim of this report is to draw conclusions, based on the evidence gathered, regarding HM Prison and Probation Service's compliance with specific clauses of its Welsh language scheme. The report does not draw conclusions regarding the overall performance of HM Prison and Probation Service in implementing its language scheme.
- 1.4 This is the first investigation carried out under section 17 of the Act in relation to HM Prison and Probation Service. The Welsh Language Commissioner would like to thank HM Prison and Probation Service for its cooperation during the investigation.

## 2 Basis of the investigation

- 2.1 This investigation was opened on the Commissioner's own initiative. This decision was taken as a result of the following:
- i) recent research carried out by Robert Jones of Cardiff University and Gregory Davies of the University of Liverpool, [Rights, Pains and Illusions: The Experiences of Welsh-Speakers at Wales' 'Flagship' Prison](#), which suggested that the fundamental rights of Welsh speakers are not adequately considered in Welsh prisons
  - ii) concerns raised about the implementation of HM Prison and Probation Service's Welsh language scheme following the Commissioner's visit to HMP Berwyn, during which there was an opportunity to discuss provision with staff and prisoners.
- 2.2 In light of these matters, it was decided to conduct a statutory investigation under section 17 of the Act into a possible failure by HM Prison and Probation Service to implement its Welsh language scheme.
- 2.3 During the visit and discussions with prisoners, examples were described of situations in which the Welsh language was treated less favourably than the English language. It is also noted that the Welsh Language (Wales) Measure 2011 establishes the freedom to use the Welsh language with others in Wales.
- 2.4 The following is a summary of the matters raised during discussions between the Commissioner and prisoners at HMP Berwyn:

**Broadcasting:** S4C and BBC Radio Cymru are not available in cells. HMP Berwyn stated that the technical arrangements are complex.

**Socialising:** Difficulties were identified in Welsh speaking prisoners finding one another; together with a strong desire to share cells with Welsh speakers where possible.

**Correspondence:** It was alleged that Welsh language letters and emails take longer to arrive, or do not arrive at all, including when being sent to family members.

**Religious services:** Prisoners from Welsh speaking communities are unfamiliar with English language hymns, and a wish was expressed to attend chapel services in Welsh on a weekly basis.

**Increasing opportunities to use the Welsh language:** There is a lack of consistent opportunities for prisoners to speak Welsh with one another.

**Recreation:** There is no choice of Welsh language artists or songs on the compact disc ordering list.

**Personal support:** A lack of 'Welsh Listeners' was identified; this was considered a significant concern, as prisoners feel unable to express themselves fully through their second language, or to be 'themselves'.

**Official processes:** Concerns were raised that the 'Offender Supervisor' system is not available in Welsh, along with a lack of job roles in which Welsh language skills can be used.

**Disciplinary processes:** A wish was expressed to be able to follow and engage with disciplinary processes within the prison through the medium of Welsh.

**Family events:** A wish was expressed to see a 'Family Day' organised through the medium of Welsh.

**Welsh-speaking Staff:** Prisoners were of the view that Welsh-speaking officers are needed to support vulnerable prisoners; it was noted that behaviour improves when prisoners are able to express themselves in Welsh.

**Education:** Demand was identified for improved educational provision for prisoners, including a desire for courses specifically focused on Welsh culture.

- 2.5 A letter was sent to HM Prison and Probation Service on 27 November 2025 requesting information and evidence in relation to the suspected failure by 5 January 2026.
- 2.6 Following a request for an extension, a response to the letter was received by email on 23 January 2026.
- 2.7 It was explained that HMP Berwyn had not received any formal complaints relating to prisoners being prevented from speaking Welsh since 2021. However, it noted that it was aware that examples had been shared by prisoners with the Welsh Language Commissioner during her visit in November 2025. Since then, one incident had been reported to a member of staff and resolved by a senior officer. It was stated that the prisoner was satisfied with this outcome and did not wish to make a formal complaint, despite being encouraged to do so.
- 2.8 It was stated that HMP Berwyn did not believe there were any obvious differences in the way Welsh language correspondence is handled compared to English language correspondence. It explained that all mail sent through the post is subject to security arrangements, including drug testing and photocopying upon arrival, and that it is the photocopy that is provided to the prisoner.
- 2.9 It was stated that there is no evidence to suggest that Welsh language letters are being withheld or take longer to reach their destination. One formal complaint was recorded during the past 12 months regarding delays with Welsh language letters; following investigation, this was found to be due to staff shortages in the mailroom, which affected all letters, both Welsh and English.
- 2.10 It was explained that letters are not read prior to leaving the prison but are subject to a screening process that ensures prisoners are not sending correspondence to individuals with whom they are prevented from contacting, and that they have included their name and prison number on the back of the envelope. It was stated that any member of staff can undertake this process, regardless of language, and therefore there would be no reason for delays arising due to a letter being in Welsh.
- 2.11 It was explained that delays may occur, irrespective of language, when processing emails that are subject to monitoring or restrictions, as such emails must be read to ensure that no rules are being breached, and that email addresses do not identify recipients. Welsh-

speaking Operational Support Grade (OSG) staff and translation services are available and utilised to ensure that this process is undertaken for emails in Welsh.

## 3 The investigation

- 3.1 It was decided to exercise our powers under section 17 of the Act in order to conduct an investigation to determine whether HM Prison and Probation Service had failed to implement its language scheme. The HM Prison and Probation Service was notified of this decision on 20 November 2025.
- 3.2 On 27 November 2025, a letter was sent to the HM Prison and Probation Service setting out the subject and procedure of the investigation and posing questions for the purpose of gathering information. It was explained that the investigation would consider compliance with the following clauses of the Welsh language scheme:

### ***B Service Delivery***

*HMPPS Wales will:*

- 1. Create a bilingual environment with signage in Welsh and English in spaces accessible to prisoners and people on probation. Signs will be replaced with bilingual versions when they are due to be replaced.*
- 2. Promote the rights of Welsh speaking prisoners and people on probation to speak Welsh.*
- 3. Ask prisoners and people on probation at the earliest possible stage if they have a Welsh language preference, record this accurately on prison and probation data management systems and regularly monitor at a prison, Probation Delivery Unit and Wales-wide level.*
- 4. Accommodate additional requests for any material in Welsh where a preference for Welsh is known.*
- 5. Provide prisoners and HMPPS Wales staff with badges or lanyards which identify them as Welsh speakers.*
- 6. Provide opportunities for people on probation and people in prison to use and develop their Welsh language skills.*
- 7. Ensure structures are in place to receive feedback from Welsh speakers on their experiences of prison and probation services.*

### ***C. Our workforce***

*HMPPS Wales will:*

- 1. Use the data we hold on the Welsh language skills of people on probation, people in prison and our staff to understand the demand for services in Welsh and the resources that we have to meet this.*

2. *Advertise all job vacancies bilingually. This applies to permanent staff posts and temporary staff posts via agencies.*
3. *Assess whether each advertised post has an essential Welsh language need.*
4. *Run recruitment campaigns bilingually; giving the option of accessing all stages of our recruitment processes in Welsh and making every effort to accommodate subsequent requests.*
5. *Continue to have Welsh language as a desirable skill in all Wales-based posts and specifying where it is an essential skill.*
6. *Nominate Welsh language Champions across HMPPS Wales functions, to help promote and deliver commitments in the Scheme.*

3.3 It was noted that the investigation would be conducted in private by the Commissioner's Investigation and Enforcement team, and that it would include the following steps:

1. Receive information and evidence from HM Prison and Probation Service by 5 January 2026.
2. Undertake a desktop analysis of the information received and consider whether any further information is required, for example by meeting with HM Prison and Probation Service officers.
3. Prepare a draft report on the investigation's findings and give HM Prison and Probation Service an opportunity to check its facts.
4. Send a copy of the final report to HM Prison and Probation Service and the Minister responsible for the Welsh language.
5. Publish the final report.

3.4 This report considers HM Prison and Probation Service's compliance with specific clauses of its Welsh language scheme. It is based on information and evidence received from HM Prison and Probation Service in a letter dated 23 January 2026, together with a visit to HMP Berwyn.

## 4 The evidence

### Consideration 1:

There were grounds to believe that HM Prison and Probation Service had failed to comply with the following clauses of its Welsh language scheme:

#### **B. Service Delivery**

*HMPPS Wales will:*

- 1. Create a bilingual environment with signage in Welsh and English in spaces accessible to prisoners and people on probation. Signs will be replaced with bilingual versions when they are due to be replaced.*
- 2. Promote the rights of Welsh speaking prisoners and people on probation to speak Welsh.*
- 3. Ask prisoners and people on probation at the earliest possible stage if they have a Welsh language preference, record this accurately on prison and probation data management systems and regularly monitor at a prison, Probation Delivery Unit and Wales-wide level.*
- 4. Accommodate additional requests for any material in Welsh where a preference for Welsh is known.*
- 5. Provide prisoners and HMPPS Wales staff with badges or lanyards which identify them as Welsh speakers.*
- 6. Provide opportunities for people on probation and people in prison to use and develop their Welsh language skills.*
- 7. Ensure structures are in place to receive feedback from Welsh speakers on their experiences of prison and probation services.*

4.1 In its response, HM Prison and Probation Service stated that, in relation to arrangements at HMP Berwyn, prisoners' rights to speak Welsh are continuously promoted through Welsh-speaking prisoner forums, which were re-established in October 2025. From January 2026 onwards, it explained that it will offer monthly forums for smaller groups of prisoners in order to facilitate discussions on specific issues or concerns. These will be facilitated through the medium of Welsh by the prison's Welsh Language Lead.

4.2 It stated that *Welsh is Welcome Here* posters have been displayed across the establishment in order to make it clear that:

- i) the prison will translate information into Welsh
- ii) that visitors can use the Welsh language
- iii) that prisoners can speak Welsh with one another, and
- iv) that Welsh and English will be treated equally.

- 4.3 In the context of HMP Berwyn, it was explained that a network of Welsh-speaking volunteers, who are prisoners will be established to promote the use of Welsh, rights to use Welsh, and to support Welsh-speaking prisoners. Confirmation has been received that 4 Welsh language Prisoner Champions (supported by the Welsh Language Lead) have been in post since January 2026.
- 4.4 Following concerns highlighted recently as a result of the Welsh Language Commissioner's visit to HMP Berwyn, and research conducted by Cardiff University and the University of Liverpool, HM Prison and Probation Service noted that a bilingual notice was issued to prisoners in November 2025. This notice reminded them of their rights to use Welsh in their day-to-day lives and when communicating with others. They were also reminded to record any barriers to using Welsh on the *Discrimination Incident Reporting Form (DIRF)*. It was explained that the DIRF had recently been amended to include a specific category for "Welsh language".
- 4.5 It was noted that the Welsh Language Rights campaign was almost complete. This campaign was explained to be one that provides prisoners with information on how to make a complaint and reminds them of their rights to use Welsh. The campaign will be promoted through in-cell technology and permanent posters.
- 4.6 It was stated that staff across the Prison and Probation Service are directed to the central Welsh Language team for enquiries and translation support. New training is being developed, including a Welsh Language Awareness session for all members of staff, to be delivered by Spring 2026. It was added that a further briefing reinforcing the rights of Welsh speakers would be issued in January 2026, and that staff have already been reminded of the documents and forms available in Welsh, as well as the availability of simultaneous translation services.
- 4.7 It was further stated that HMP Berwyn has volunteered to take part in a national pilot translation scheme using artificial intelligence (AI), to be implemented for a nine-month period during 2026. The system will be able to provide real-time AI translation or interpretation for informal conversations between staff and prisoners.
- 4.8 Following the Commissioner's comments after her visit to HMP Berwyn (see 2.4), the Prison and Probation Service explained that one part-time member of staff within the Chaplaincy team is able to speak Welsh, and that religious services already include prayers in Welsh.
- 4.9 Following further feedback in a letter from the Welsh Language Commissioner after the visit, it was noted that consultation had taken place with prisoners regarding religious services. It was noted that the preferred approach would be to develop more bilingual content across the range of religious services.
- 4.10 It was explained that interviews are being held for a new Chaplaincy Manager at HMP Berwyn, with the expectation that the individual will be in post by Spring 2026. Part of the

role will include reviewing Welsh-language provision and making improvements based on feedback from prisoners.

- 4.11 It was noted that HMP Berwyn encourages prisoners to use the formal complaints procedures available to them, in order to enable the prison to investigate fully and take action where necessary.
- 4.12 It was explained that each prisoner's language preference, both spoken and written, is recorded following an interview on their first night. This information is recorded on the prisoner's NOMIS/DPS4 record and may be updated if a prisoner later discloses that they are able to speak, read or write in a language not previously recorded.
- 4.13 In November 2025, new arrangements were introduced to add details of new prisoners who choose Welsh to the Welsh language database. This ensures that those prisoners are invited to Welsh-language forums and events in the future.
- 4.14 Since January 2026, it has been confirmed that prisoners are able to access S4C and other Welsh-language television channels at HMP Berwyn, along with Radio Cymru. A further update and supporting evidence have been received from the service confirming that arrangements are in place to ensure that this provision remains operational.
- 4.15 It was explained that some prisoners may experience a short delay in accessing channels as a result of the need to retune television sets following technical updates. However, it was noted that steps are being taken to address this temporary issue in a timely manner. Our liaison officer will continue to monitor the situation and will discuss the arrangements with HMP Berwyn to ensure that the matter has been resolved promptly.
- 4.16 All prisons across Wales and England are required to use an audio service provider under a national contract, which does not currently catalogue Welsh songs or artists. However, it was explained that prisoners are able to order these via Amazon through the prison's Business Hub.
- 4.17 To date, no orders or enquiries have been received. It was acknowledged, however, that prisoners may not be aware of the process. Revised guidance has now been issued, and information has been shared with prisoners through Welsh-language forums on how to submit orders.
- 4.18 It was confirmed that the lack of Welsh-language provision through the contracted provider has been escalated as a matter of concern to the relevant national team.
- 4.19 It was explained that HMP Berwyn has commissioned a number of visits by engineers, undertaken site assessments, and purchased new televisions and television tuners, at significant financial cost to the establishment.
- 4.20 It was stated that activities are already in place to encourage the use of Welsh at HMP Berwyn. These include a Welsh-language Reading Club held in the library every other week, as well as a Welsh-themed Family Day in October 2025.
- 4.21 In addition, education and vocational training departments encourage Welsh-speaking prisoners to develop and use their Welsh-language skills in the workplace. For example, a Graphics class recently produced Welsh Christmas cards and held workshops designing Welsh Christmas decorations.

- 4.22 It was explained that two Welsh-language workbooks are published by the Education Department for completion in cells, and that Welsh-language lessons are provided. However, it was noted that there is limited interest in this provision, despite a number of departmental staff being Welsh speakers.
- 4.23 It was confirmed that HMP Berwyn will continue to expand the range of activities and programmes to encourage the use of Welsh, including:
- A programme of events for 2026 celebrating the Welsh language and culture, beginning with St Dwynwen's Day. Prisoners can make their own Welsh greetings cards to send to loved ones or choose from a selection of Welsh-language cards provided by the prison.
  - Welsh history lessons, delivered in Welsh by Bangor University, provided to Welsh-speaking prisoners (on request) during January 2026.
  - A Welsh-language family day which was organised at the end of February to celebrate St David's Day, and it was noted that it was well received.
- 4.24 HM Prison and Probation Service stated that prisoners should be supported to use Welsh across all aspects of prison life, and that measuring the number of opportunities available is challenging. HMP Berwyn will continue to collect feedback through Welsh-language forums to ensure that further opportunities available to prisoners are explored and maximised.
- 4.25 It was explained that all Welsh-speaking prisoners (who consent) have a "Cymraeg" speech-bubble symbol on their identification cards outside their cells, allowing staff and other prisoners to identify them. All prisoners who have chosen Welsh are now added to the Welsh language database, ensuring that they are invited to Welsh-language events and forums.
- 4.26 It was stated that feedback from forums is now collected and discussed fortnightly within HMP Berwyn's Welsh Language Taskforce, attended by the Welsh Language Champion, the Welsh Language Lead, and relevant senior prison managers.
- 4.27 Feedback and suggestions from prisoners will be added to the prison's Welsh Language Action Plan for progression and monitoring.
- 4.28 Minutes and actions from the forums will be stored on a dedicated Microsoft Teams channel, and HM Prison and Probation Service will translate the minutes of its monthly Prison Council meeting into Welsh and ensure they are available to all prisoners through in-cell technology.
- 4.29 It was explained that national policy requirements are in place to ensure that cell-sharing arrangements prioritise effective risk management and maintain prisoner safety. Subject to these requirements, it was explained that facilitating Welsh speakers sharing cells will be accommodated wherever possible.
- 4.30 It was stated that the prison induction process is being amended to ask every prisoner who identifies as a Welsh speaker whether they wish to share a cell with another Welsh speaker. This will be recorded on NOMIS (HM Prison and Probation Service's internal IT system) and facilitated unless operational capacity prevents this.

## Consideration 2:

There were grounds to believe that HM Prison and Probation Service had failed to comply with the following clause of its Welsh language scheme:

### **C. Our workforce**

HMPPS Wales will:

1. Use the data we hold on the Welsh language skills of people on probation, people in prison and our staff to understand the demand for services in Welsh and the resources that we have to meet this.
2. Advertise all job vacancies bilingually. This applies to permanent staff posts and temporary staff posts via agencies.
3. Assess whether each advertised post has an essential Welsh language need.
4. Run recruitment campaigns bilingually; giving the option of accessing all stages of our recruitment processes in Welsh and making every effort to accommodate subsequent requests.
5. Continue to have Welsh language as a desirable skill in all Wales-based posts and specifying where it is an essential skill.
6. Nominate Welsh language Champions across HMPPS Wales functions, to help promote and deliver commitments in the Scheme.

- 4.31 It was explained that all Welsh-speaking staff have access to badges and lanyards to indicate that they are able to speak Welsh or are learning Welsh, and that these resources have been redistributed recently.
- 4.32 All Welsh-speaking staff are encouraged to use their Welsh-language skills. In addition, it was confirmed that a full-time Welsh Language Lead (a Welsh speaker) originally appointed for a period of one year, and now recruited on a permanent basis, with the aim of improving and strengthening the prison's Welsh-language provision and services.
- 4.33 It was explained that Listeners are prisoner volunteers trained by the Samaritans to provide support to others in custody. At present, it was noted that there is one Welsh-speaking Listener in post, and prisoners are able to request their support.
- 4.34 It was explained that recruitment to this role depends on prisoners volunteering, as well as on the Samaritans' capacity to train new volunteers.

- 4.35 It was stated that arrangements are underway to ensure that the Cymraeg logo is displayed on the T-shirts of Welsh-speaking Listeners, so that they are easily identifiable.
- 4.36 It was noted that, as of 30 September 2025, 28 members of staff had declared that they speak Welsh. Of these, 15 stated that they were fluent, and 13 stated that they had basic skills. It was explained that HMP Berwyn will continue to encourage staff to disclose their Welsh-language ability.
- 4.37 It was confirmed that there are currently no Welsh-speaking Prisoner Offender Managers (POMs) available. HM Prison and Probation Service explained that this would be addressed by using Welsh-speaking staff from other departments and by translating relevant information.
- 4.38 It was explained that the POM role has recently been assessed against HM Prison and Probation Service Wales' new Welsh Language Skills Assessment Framework. As a result, roles such as POM, Prison Officer and Operational Support Grade (OSG) will in future be recruited with Welsh as an essential requirement.
- 4.39 Although jobs in Wales were previously advertised bilingually on a consistent basis, it was stated that recent changes to Government recruitment systems have adversely affected this practice and reduced consistency across a number of departments.
- 4.40 It was explained that this challenge is not unique to HMP Berwyn or to HM Prison and Probation Service Wales, and that discussions are taking place with the relevant central departments to seek solutions.
- 4.41 It was confirmed that data relating to Welsh-speaking prisoners and staff is reviewed on a quarterly basis by the HM Prison and Probation Service Wales Welsh Language Implementation Board, which oversees progress against the Welsh Language Scheme in Wales.
- 4.42 It was noted that data analysis is currently limited due to the relatively low numbers of staff who have declared their Welsh-language ability. However, the Welsh Language Skills Assessment Framework requires each department at HMP Berwyn to consider local demand for Welsh-language services, together with existing capacity, when recruiting to existing and new roles.
- 4.43 All prisons in Wales are expected to appoint a Welsh Language Champion, as has been done at HMP Berwyn. It was confirmed that this is a voluntary role, with the main responsibilities including:
- Leading on Welsh language activities within their establishment, including delivering Welsh Language Forums for prisoners.
  - Developing and progressing a Welsh Language Action Plan specific to their establishment, aligned with the expectations of the Scheme.
  - Attending quarterly meetings of HM Prison and Probation Service Wales Welsh Language Implementation Board, acting on any requests from the Board, and providing a quarterly report on activities.
  - Promoting the use of Welsh, and the rights of the public (including prisoners) to use Welsh, across their establishments.

4.44 HMP Berwyn has recognised the need for additional resources alongside the Welsh Language Champion role. As a result, it has appointed a full-time Welsh Language Lead for one year. HMP Berwyn also intends to explore the feasibility of creating a Welsh Language Orderly role – a paid prisoner post – based on feedback from Welsh-language volunteers and the extent to which their support is used.

## 5 Conclusions

- 5.1 This report reaches a view on HM Prison and Probation Service's compliance with its Welsh Language Scheme, with a particular focus on the operational arrangements at HMP Berwyn where relevant.

### Conclusion 1: Service Delivery

There were grounds to believe that HM Prison and Probation Service had failed to comply with the following clauses of its Welsh language scheme:

#### **B. Service Delivery**

*HMPPS Wales will:*

- 1. Create a bilingual environment with signage in Welsh and English in spaces accessible to prisoners and people on probation. Signs will be replaced with bilingual versions when they are due to be replaced.*
- 2. Promote the rights of Welsh speaking prisoners and people on probation to speak Welsh.*
- 3. Ask prisoners and people on probation at the earliest possible stage if they have a Welsh language preference, record this accurately on prison and probation data management systems and regularly monitor at a prison, Probation Delivery Unit and Wales-wide level.*
- 4. Accommodate additional requests for any material in Welsh where a preference for Welsh is known.*
- 5. Provide prisoners and HMPPS Wales staff with badges or lanyards which identify them as Welsh speakers.*
- 6. Provide opportunities for people on probation and people in prison to use and develop their Welsh language skills.*
- 7. Ensure structures are in place to receive feedback from Welsh speakers on their experiences of prison and probation services.*

- 5.2 HMP Berwyn was built as a Welsh prison, with the intention of creating a more supportive environment for people from north Wales, and in particular for Welsh speakers. Berwyn was the first prison in Wales to be built entirely since the introduction of Welsh language schemes in prisons, embedding the principle of linguistic equality set out in the Welsh Language Act 1993. This is the context within which the prison's practices at Berwyn should be assessed.

- 5.3 There are greater legal rights to use Welsh in prisons in Wales than in England, as a result of the freedom to use Welsh established by the Welsh Language (Wales) Measure 2011, the commitments contained within HM Prison and Probation Service's Welsh Language Scheme, and the responsibilities of local authorities in Wales in relation to care and support.
- 5.4 The Welsh Language (Wales) Measure 2011 creates the freedom to use Welsh. This means that the Commissioner may determine whether someone has interfered with the freedom of two other persons to speak Welsh with one another, for example by stating that they should not use Welsh with each other or by causing them to suffer disadvantage for doing so. Situations within prisons in which the freedom to use Welsh would be relevant include conversations with fellow prisoners, visits, and telephone calls or correspondence with people outside the prison. This freedom exists only within Wales.
- 5.5 During the Commissioner's visit to HMP Berwyn, and through discussions with prisoners, examples were heard of individuals being prevented from speaking Welsh with one another. These examples raise serious concerns regarding respect for the linguistic and cultural identity of Welsh speakers.
- 5.6 In its response, HM Prison and Probation Service stated that it had not received any complaints about prisoners being prevented from speaking Welsh with one another since 2021, while acknowledging that one incident had arisen in November 2025 and had been resolved internally.
- 5.7 The evidence submitted by the prison largely responds to the allegations raised during the Commissioner's visit. However, this evidence does not fully reflect the situation as it was prior to that visit, nor does it clearly acknowledge the concerns identified in section 2.4 of this report.
- 5.8 The evidence does, however, indicate that positive change has taken place, with specific actions taken following the Commissioner's visit. These include, among other matters:
- Re-establishing and promoting prisoners' rights to speak Welsh in October 2025
  - Establishing monthly forums from January 2026 to discuss issues or concerns through the medium of Welsh
  - Establishing a network of four Welsh-speaking volunteers by the end of January 2026 to promote the use of Welsh
  - Refreshing Welsh language awareness training for staff by Spring 2026
  - Participating in a national pilot translation scheme during 2026
  - Appointing a new Chaplaincy Manager by Spring 2026 to increase Welsh-language provision in religious services following prisoner feedback
  - Enabling access for prisoners to S4C and BBC Radio Cymru from January 2026
  - Revising guidance to support prisoners to order music from Wales through the prison's Business Hub
  - A programme of events for 2026 to celebrate Welsh language and culture

- Welsh history lessons delivered in Welsh by Bangor University at prisoners' request in January 2026
- A Welsh-language Family Day planned for March 2026

- 5.9 There are also further examples of responsiveness to prisoner feedback, such as reviewing the allocation of DIRF investigations, providing history lessons in Welsh within education, and identifying Welsh-speaking prisoners on cell cards.
- 5.10 With reference to relevant clauses of the Welsh Language Scheme, HM Prison and Probation Service stated that a prisoner's language preference is recorded following an interview on the first night. It added that arrangements were introduced in November 2025 to add details of new prisoners who choose to use Welsh to the Welsh language database. It is unclear whether this arrangement was in place prior to the Commissioner's visit; however, it suggests that the visit prompted the prison to reconsider and strengthen its internal arrangements in relation to its treatment of the Welsh language.
- 5.11 HM Prison and Probation Service stated that a range of activities are available at HMP Berwyn to encourage the use of Welsh, including a Welsh-language reading group, a Welsh-themed family day (October 2025), graphics and design classes, as well as Welsh-language lessons and books.
- 5.12 Consideration is also given to the fact that *Welsh is Welcome Here* posters are displayed throughout the prison. Nevertheless, there is a mixed picture regarding the actual availability of services and the practical opportunities for prisoners to speak Welsh. For example, although prisoners were aware that Welsh-language services were intended to be available, informal discussions revealed that some advertised services were not in fact available at certain times.
- 5.13 HM Prison and Probation Service stated that it would continue to collect feedback to support prisoners in using Welsh through Welsh-language forums.
- 5.14 In relation to identifying Welsh speakers, it was explained that every prisoner who consents displays a "Cymraeg" speech-bubble symbol on their identification card and outside their cell. It was also noted that Welsh-speaking staff have access to badges and lanyards. However, no details were provided regarding how many of these are used in practice, nor whether staff who wear them are willing to use Welsh actively. It was added that these resources have recently been redistributed.
- 5.15 Welsh should not be treated less favourably than English in prisons in Wales, and individuals should be able to live their lives through the medium of Welsh if they so wish. However, the limited evidence available - arising from the Commissioner's visit to HMP Berwyn and research reports by Cardiff University and the University of Liverpool - suggests that this commitment to linguistic equality was not being realised to any significant extent prior to the Commissioner's visit.
- 5.16 Despite the improvement measures taken following that visit, the arrangements in place at HMP Berwyn prior to the visit, as evidenced by research from the University of Liverpool and Cardiff University, tell a different story. The perception among a number of prisoners was that the ethos of the Welsh Language Scheme was being undermined, and that they did not feel they had:
- the freedom to use Welsh

- access to services through the medium of Welsh
- access to Welsh-language activities
- encouragement to use Welsh
- assurance that they would not be disadvantaged as a result of choosing to use Welsh.

5.17 In order to address these perceptions, it is clear that further work is required and that firm action must be taken to ensure that the principles and practice of the Welsh Language Scheme are implemented consistently and effectively.

## Conclusion 2: Our workforce

There were grounds to believe that HM Prison and Probation Service had failed to comply with the following clauses of its Welsh language scheme:

### C. Our Workforce

HMPPS Wales will:

1. Use the data we hold on the Welsh language skills of people on probation, people in prison and our staff to understand the demand for services in Welsh and the resources that we have to meet this.
2. Advertise all job vacancies bilingually. This applies to permanent staff posts and temporary staff posts via agencies.
3. Assess whether each advertised post has an essential Welsh language need.
4. Run recruitment campaigns bilingually; giving the option of accessing all stages of our recruitment processes in Welsh and making every effort to accommodate subsequent requests.
5. Continue to have Welsh language as a desirable skill in all Wales-based posts and specifying where it is an essential skill.
6. Nominate Welsh language Champions across HMPPS Wales functions, to help promote and deliver commitments in the Scheme.

5.18 In order to comply with the above clauses, it is expected that HM Prison and Probation Service ensures its staff assessment, advertising and recruitment arrangements give due consideration to the Welsh language, including where Welsh is essential for the delivery of specific duties.

- 5.19 Considering individuals' linguistic needs is an integral part of supporting wellbeing. For example, some findings of the Commissioner's 2015 Primary Care Inquiry can be applied to the relationship between prisoners and prison authorities. That inquiry showed that Welsh speakers felt:
- they were better able to express their needs through the medium of Welsh;
  - that being able to speak Welsh in consultations was important in terms of respect and dignity; and
  - that recognising language choice was an important part of acknowledging and respecting their identity.
- 5.20 HM Prison and Probation Service is considered to have appointed a Welsh-speaking Welsh Language Lead at HMP Berwyn for a period of one year, with the aim of improving Welsh-language services. However, no evidence was provided regarding what will happen after this period ends. This suggests that the prison itself recognises that there are further opportunities to strengthen the current arrangements.
- 5.21 It was noted that 28 members of staff at HMP Berwyn have declared that they are able to speak some Welsh, with levels of ability ranging from basic skills to full fluency.
- 5.22 It is considered that there is currently no Welsh-speaking Prisoner Offender Manager (POM) available, and it was explained that any difficulties would be mitigated by using Welsh-speaking staff to translate.
- 5.23 Following a recent assessment of this role, it was noted that two additional posts will be recruited with Welsh as essential.
- 5.24 It was acknowledged that the bilingual advertising of posts has gradually declined due to changes to Government recruitment systems, and that this challenge is not unique to HMP Berwyn or to HM Prison and Probation Service.
- 5.25 It was also noted that analysis of data on staff Welsh-language skills is limited, due to the relatively low number of staff who have declared knowledge of or ability in Welsh.
- 5.26 Consideration was given to the fact that the Welsh Language Lead has been appointed on a full-time basis for a fixed period, and to the possibility of appointing a Welsh Language Officer in the future, as part of strengthening workforce capacity.
- 5.27 HMP Berwyn appears to have reviewed its procedures and taken firm action following the Commissioner's visit in November 2025. This includes reconsidering internal arrangements and putting procedures in place to comply more effectively with the requirements of the Welsh Language Scheme, although these are arrangements that should already have been in place.
- 5.28 Based on the evidence presented, it is reasonable to expect that the actions identified by HMP Berwyn will strengthen Welsh-language provision over time and provide greater confidence to Welsh-speaking prisoners that Welsh-language services are available to them, and that they can use Welsh with one another where appropriate.
- 5.29 In light of the limited evidence available, and having regard to its nature, it is difficult to reach a definitive conclusion that HM Prison and Probation Service has failed to comply with clauses B and C of its Welsh Language Scheme on this occasion.

## 6 Recommendations

- 6.1 Although this investigation identified significant concerns regarding the experiences of some prisoners in relation to the use of the Welsh language, the evidence available is limited in scope and nature. As a result, and as noted in Section 5, it was not possible to reach a definitive conclusion that HM Prison and Probation Service had failed to comply with its Welsh Language Scheme on the basis of the evidence considered.
- 6.2 Nevertheless, the investigation has highlighted areas where there is clear scope to strengthen arrangements, improve clarity, and increase Welsh-speaking prisoners' confidence in the practical operation of the provision. In this context, and in order to support continuous improvement and promote the principles of the Welsh Language Scheme, the following recommendations are made under section 19 of the Act.

### **Recommendation 1: Awareness and Training**

HM Prison and Probation Service should continue to strengthen staff awareness of the Welsh language, including the commitments of the Welsh Language Scheme and the freedom to use Welsh, and ensure that this is embedded consistently within induction and ongoing training.

### **Recommendation 2: Working with the Ministry of Justice**

HM Prison and Probation Service should work with the Ministry of Justice to identify and implement effective methods to ensure a meaningful and measurable increase in the number of staff recording their language skills, thereby supporting workforce planning, facilitating the matching of skills to demand, and strengthening Welsh language provision.

### **Recommendation 3: Staff Capacity**

HM Prison and Probation Service, particularly when recruiting new staff, should ensure that it has sufficient capacity of staff with appropriate Welsh-language skills to provide Welsh-language services to prisoners in a consistent and reliable manner.

### **Recommendation 4: Clarity on the use of the Welsh language**

HM Prison and Probation Service should take further steps to make it entirely clear to prisoners and staff that prisoners may communicate in Welsh with one another and with external contacts, clearly and transparently setting out any limited circumstances in which this may not be permitted.

### **Recommendation 5: Data and service planning**

HM Prison and Probation Service should ensure that consistent and accurate data regarding prisoners' language preference and Welsh-language ability is collected, maintained and actively used to plan and deliver Welsh-language services effectively.

### **Recommendation 6: Prisoner placement arrangements**

HM Prison and Probation Service should review its arrangements in order to facilitate, where appropriate and operationally possible, the placement of prisoners who wish to receive services through the medium of Welsh together, in compliance with security and risk-management requirements.

### **Recommendation 7: Social opportunities to use Welsh**

HM Prison and Probation Service should continue to develop and support further opportunities to use Welsh in social and informal contexts, at HMP Berwyn and in other prisons.

**Recommendation 8: Organisational culture**

HM Prison and Probation Service should develop and implement a clear action plan to support cultural change in relation to the status and use of the Welsh language in prisons in Wales, ensuring that the principles of the Welsh Language Scheme are embedded practically and consistently across the organisation.