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Y Gweinidog Iechyd Meddwl, Llesiant a'r Gymraeg
Minister for Mental Health, Wellbeing and Welsh Language



Llywodraeth Cymru
Welsh Government

Siân Gwenllian MS

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Dear Siân,

At the Senedd plenary session on 2 December, you asked me to provide an update on the legal action that the Welsh Government is taking, or not taking, in response to the administrative court's ruling in the case of *Driver v. Rhondda Cynon Taf County Borough Council*. I replied saying that the Welsh Government will not take a stand on the *Driver* case.

I would like to expand on the answer that I gave you in plenary, which I suspect was asked in order to clarify the Welsh Government's intention to intervene on the Welsh language policy issues of the case, namely ground 2(g) or the "*Welsh language grounds*" (ground 4). It was my intention to confirm that the Government would not intervene on those particular Welsh language elements relating to paragraph 1.9 of the School Organisation Code 2013. The answer that I gave on the day stands. The Welsh Government will not take a stand on 2(g). It should be noted, however, that there is an intention for the Welsh Government to intervene on an element of the appeal case relating to the interpretation of section 50(2) of the 2013 Act (ground 1 and 3 of the appeal case) as this relates to the correct interpretation of the English and Welsh texts of this aspect of the 2013 Act (both texts have equal status in law).

I wanted to ensure that my response had not misled you in any way in terms of the Welsh Government's involvement in the case, but I wanted to give an assurance that the Welsh Government was not intervening in the case on 2(g) / ground 4 of the appeal case which, as we know, has attracted local and national attention.

Yours sincerely,

Eluned Morgan AS/MS
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.