

## Themes to be considered

### Communication under section 9 of the Act (Letters, emails & mail shots)

Current obligations under the Act:

- To respond to communication in the language in which it was received;
- To issue information in writing or electronically in Irish or bilingually.

**1. *In your opinion, are these obligations adequate, are they excessive or do they need to be amended?***

- The obligation to respond to written communication in the language in which it was received is adequate and appropriate. Members of the public should be able to communicate in writing with public bodies in both official languages of the State.
- When a public body is issuing information to the general public in writing or electronically it should be issued in both official languages of the State, or in Irish only, as appropriate. However, while public bodies should be required to make every effort to issue communications simultaneously in both languages, it is not always possible due to the delays that may occur in procuring translation services and the need to issue urgent/important communications within tight timeframes.

### Publications under section 10 of the Act

Current obligations under the Act:

- To publish certain documents simultaneously in Irish and in English (e.g. annual reports, audited accounts, public policy proposals, strategy statements etc.)

**2. *In your opinion, are these obligations adequate, are they excessive or do they need to be amended?***

These obligations are adequate as it is appropriate that such publications are published in both official languages of the State simultaneously.

**Signage, stationery & recorded oral announcements under Regulations of the Act (S.I. No. 391 of 2008)**

Current obligations under the Act:

- To comply with the Regulations in regard to the use of Irish and English on signs, stationery and in recorded oral announcements.

**3. *In your opinion, are these obligations adequate, are they excessive or do they need to be amended?***

It is adequate that signage, stationery and recorded oral announcements are in Irish only or bilingual where required and appropriate. It appears that An Coimisinéir Teanga has taken a broad interpretation of certain aspects of the Regulations and it may prove complicated and costly to apply these regulations retrospectively to, for example, all pre-programmed pre-recorded announcements.

**Language Schemes under the Act**

The language schemes form the core of the Language Act. The language schemes set out the system through which public bodies develop their services in Irish over a period of time. It is through the language schemes that the use of Irish is dealt with on websites, leaflets, brochures, forms, through telephone services, through other interpersonal services, through online services etc.

**4.(a) *In your opinion, is the system of language schemes satisfactory, excessive or does it need to be amended?***

It should be possible for the public body to review its language scheme during its lifetime to take account of any refinements that may be required due to the changing circumstances of the public body. Examples of changing circumstances for a public body may include budgetary constraints or staffing capacity. It should also be possible for a public body to vary a scheme at its conclusion, prior to the adoption of a new scheme, if the public body is not in a position to continue to deliver on particular commitments.

There may be a role for the Department of Arts, Heritage and the Gaeltacht to provide an arbitration mechanism between the public body and An Coimisinéir Teanga in relation to agreeing variations to or interpreting the commitments of a scheme.

It would also be beneficial if the Department of Arts, Heritage and the Gaeltacht was in a position to provide additional supports to Departments in relation to the drafting of language schemes and if they promoted inter-departmental cooperation in relation to the provision of services through Irish.

**4.(b) *Would you recommend an alternative system which would be more efficient and more effective?***

Consideration could be given to interdepartmental initiatives which could be sponsored by the Department of Arts Heritage and the Gaeltacht and focused on practical operational actions.



#### **Services from public bodies in the Gaeltacht**

In order for the State to support the status and use of Irish in the Gaeltacht, it is vital that Gaeltacht communities can carry out their official business with the State through Irish.

**5.(a) Are you satisfied with the services being provided by public bodies in Irish in the Gaeltacht?**

**5.(b) Would you recommend any amendments that would enhance the effectiveness and efficiency of public bodies in this area?**

#### **Other provisions of the Act**

Other provisions of the Act ratify rights with regard to the use of Irish in the Oireachtas, in the courts and in the State's placenames system.

**6. In your opinion, are these provisions adequate, are they excessive or do they need to be amended?**

The provisions of the Act which ratify rights with regard to the use of Irish in the Oireachtas, in the courts and in the State's place names system are adequate and not excessive.

#### **Public bodies under the Act**

The Act requires public bodies, which are listed under the Act, to provide services through Irish. The full list of public bodies featured under the Act can be found at [www.ahg.gov.ie](http://www.ahg.gov.ie).

The following public bodies are listed under the Act – Government Departments and offices, local authorities, universities, other third-level institutions, vocational education committees, An Garda Síochána, the Courts Service, the Revenue Commissioners, the Health Service Executive, other State agencies, boards & companies.

**7. In your opinion, is this list of public bodies under the Act appropriate or is an amendment necessary in this area?**

### **The Office of An Coimisinéir Teanga**

The Office of An Coimisinéir Teanga was established under the Act. The main role of the Office is to monitor the implementation of the Act.

**8. *In your opinion, are the powers and functions of that Office adequate or excessive and do they need to be amended?***

It is important for An Coimisinéir Teanga to be mindful of the need to ensure that a balance is struck between the need to ensure compliance with the Official Languages Act 2003 and the need to ensure that support and empathy for the Irish language is nurtured.

### **In general**

**9. *Are there other amendments to the Act that you would recommend in order to ensure that the legislation is suitable and appropriate to its function?***

The Department is of the view that section 18 of the Official Languages Act could be amended to allow for the varying of commitments in a language scheme if it becomes apparent that the commitments cannot be implemented due to prevailing budgetary or resourcing issues in a public body.

Such an amendment would complement the provision at subsection 13(2)(c) which states that when drafting language schemes public bodies shall ensure that they have adequate staff who are competent in the Irish language so as to be able to provide the services in the scheme.

**10. *What services through Irish do you personally require from public bodies or what services do you think should be given priority?***

**11. *What do you think are the obstacles or difficulties associated with providing the same standard of services in Irish by public bodies?***

The main obstacles to the provision by Government Departments of the same standard of services through Irish are the lack of staff who are proficient in Irish and the necessity for Government Departments to employ external translation services rather than having access to a Government translation service which could ensure consistency and quality. It is the case that many Departments are not in a position to independently quality assure translations without incurring additional costs. The Department of Education and Skills spent in the region of €145,000 on the procurement of Irish translation services in 2011.

Consideration could be given to establishing an inter-departmental working group led by the Department of Arts, Heritage and the Gaeltacht to examine issues such as the cost benefit of establishing a Government Translation Unit with specific staff assigned to translate for specific Government Departments. The benefits of having translators with specific responsibility for a Government Department could include familiarity with the work of the

Department, consistency in applied terminology, efficiency due to greater accessibility and an in-house proof reading service which could ensure quality.

**12. *What amendments would you recommend to the Act in order to develop State services through Irish in an efficient and cost-effective manner?***