**Joint Committee on Public Service Oversight and Petitions**

**5 March 2014**

**Address by Minister of State Dinny McGinley**

Chairperson, Deputies and Senators,

I would like to thank the Joint Committee for inviting me here today to discuss matters arising from your meeting with the former Coimisinéir Teanga, Mr. Seán Ó Cuirreáin, on 4 December 2013. I am pleased to have been given the opportunity to debate the various matters discussed that day arising from An Coimisinéir Teanga's annual report for 2012. Before I focus on those issues, I would like to say a few words about the Government's policy on the Irish language and its commitment to it.

One would think from the constant criticism which is to be widely heard in recent times that this Government is ignoring the promotion of the Irish language and the Gaeltacht and that the policies that are being implemented are totally defective. I totally disagree with this viewpoint. It is evident from the Programme for Government, from the implementation of the 20-Year Strategy for the Irish Language and from the substantial investment from the Exchequer to support the Irish language and the Gaeltacht, that the Government is very determined and committed to achieving beneficial results which will ensure the survival of the Irish language as a living language in the Gaeltacht and that it will have a central and visible place in society in general in this country.

Undoubtedly, we all recognise that the Irish language is under pressure, particularly in the Gaeltacht, and that a range of supports is necessary to assist the community in maintaining and promoting it. We must also recognise that these challenges didn't appear overnight or, indeed, with the coming into power of this Government.

The State has a central role in supporting the Irish language, but the goodwill and active support of the public is also necessary in maintaining and strengthening the language and transmitting it from generation to generation. The 20-Year Strategy for the Irish Language provides the policy framework for the various stakeholders, including the State and community, to cooperate on a partnership basis in order to achieve on a progressive basis the valuable objectives specified in the Strategy. In this context, the pioneering role which the members of the Houses of the Oireachtas can play on a cross-party basis to cooperate on this matter, and to provide guidance and good example, is worth remembering.

## I would now like to focus on matters to be dealt with today.

**The resignation of the former Coimisinéir Teanga**

It was at a meeting of this Joint Committee on 4 December that the former Coimisinéir Teanga, Mr. Seán Ó Cuirreáin, announced his decision not to complete his term of appointment to 22 February 2016. I have expressed my gratitude to him, both personally and publicly, for all he achieved during his term in office and I wish him and his family all the best for the future.

Since then, my Department has taken the appropriate steps to appoint a new Coimsinéir in accordance with section 20(3) of the Official Languages Act 2003 which states that An Coimisinéir Teanga is appointed by the President of Ireland on the advice of the Government following resolutions passed by Dáil Éireann and Seanad Éireann recommending the appointment. As these resolutions have now been passed, it is my understanding that the President will shortly appoint Mr. Rónán Ó Domhnaill as the second Coimisinéir Teanga. I would also like to wish the new Coimisinéir Teanga the very best in fulfilling his duties.

**Language schemes under the Official Languages Act**

I believe that it is important to recognise that the number and quality of services in Irish provided by public bodies has improved since the Official Languages Act came into effect. It was recognised from the outset that the implementation of the Act would be a gradual process and the progress made on the various provisions of the Act are to be seen from 2003 onwards. The use and visibility of the Irish language has increased as a result of the provisions of the Act itself and the regulations made under the Act. The language schemes are an important aspect of the Act which provide a framework for public bodies to identify and organise their priorities in order to increase the range of services in Irish provided to the public in a gradual manner over time.

Since the Act came into effect in 2003:

* 155 language schemes have been confirmed;
* This figure includes 113 first schemes, 38 second schemes and 4 third schemes;
* The number of schemes currently in operation comprises approximately 185 public bodies in total. Although there are approximately 600 public bodies included under the First Schedule of the Act, the confirmed schemes include the majority of public bodies that the general public have regular dealings with;
* 16 schemes were confirmed last year and a further 6 schemes have been confirmed already this year; and
* My Department is in active discussions with various public bodies in relation to 121 draft schemes which are currently being progressed.

Many references are made in An Comisinéir Teanga's annual report for 2012 to the "expiry" of language schemes and this was discussed by the Joint Committee at its meeting on 4 December 2013. It appears to me to be important to clarify this matter. Based on legal advice received by my Department, it is clear, under section 14(3) of the Act, that a language scheme remains in force for a period of three years from the date it is confirmed, or until a new scheme is confirmed in its place, whichever is the later.

Despite the criticisms of the language schemes, I believe that valuable progress has been made as a result of those schemes. Public bodies have a better understanding of their obligations regarding the provision of services to those who wish to do their business with the State in Irish and numerous public bodies have implemented many measures for this purpose in the past ten years. The goodwill and cooperation of the public bodies can be clearly seen in the dialogue which takes place with my Department when agreeing language schemes. It is important that this is acknowledged.

Nonetheless, it is recognised that the language scheme system under the Official Languages Act is not without its weaknesses, and that the process of agreeing and confirming the schemes is a complicated one. The challenging economic circumstances of recent years must be taken into account, in addition to the pressures arising from that in the context of resources, particularly human resources.

Positive steps are currently being undertaken to improve the effectiveness of the language scheme system. These steps include the following measures in particular:

* Additional staff resources have been provided in my Department to deal specifically with the agreeing of language schemes with public bodies;
* A new template will be used to standardise schemes and this will benefit both public bodies and the public alike; and
* Relevant statutory amendments are being proposed with regard to the language scheme system as part of the review of the Act.

I am confident that these measures will help to greatly increase the number of language schemes and that the improvement in Irish language services will continue in a planned manner in accordance with public demand and the resources of public bodies to meet that demand.

In addition to voicing concerns regarding the delay associated with confirming language schemes, the discussion at this Joint Committee referred to the quality of the schemes being confirmed and the lack of confidence in the system in general. In light of the engagement by my Department with public bodies in agreeing schemes, it is the experience of my Department that goodwill exists in ensuring that the commitments given in schemes are realistic, practical and deliverable, in line with available resources.

**Amendment to the language scheme of the Department of Justice and Equality**

The 2012 annual report of An Coimisinéir Teanga refers to the amendment to the Department of Justice and Equality's language scheme which was approved by me. It was mentioned that the rescinding of the obligation to have the 'Fit for Viewing' section of video and DVD labels in bilingual format was a dangerous precedent. I made this decision in accordance with the powers given to me under section 16 of the Act. My decision was based on the case presented to me regarding a change of circumstances in the way the functions of the Irish Film Classification Office are carried out and I am completely satisfied that it was appropriate to amend this language scheme. It appears to me that this was a reasonable approach to resolving an identified difficulty in a practical manner.

**Recruitment Process**

The strengthening of the use of the Irish language is a key policy objective for the Government and the availability of staff who are competent in Irish in the public service continues to be an important aspect of that policy. Obviously, the issue relating to the ability of public bodies to provide services in Irish and the issue of recruitment are intertwined.

As a result of a Government decision in October 2013 to enhance Irish language competency in the civil service, the Department of Public Expenditure and Reform has requested that Government Departments and Offices identify posts or areas of work in which officers with Irish are needed, as part of the workforce planning process. Departments are requested to pay particular attention to posts based in Gaeltacht areas or serving Gaeltacht areas. This approach will be central in order to ensure that adequate provision is made in future recruitment competitions to appointments to posts which require officers with Irish.

In addition, the positions, in which officers with Irish will be required, will be specified in future language schemes under the Official Languages Act 2003. These measures comply with the specific objectives set out in the 20-Year Strategy for the Irish Language to increase the number of officers who can function bilingually in the State system.

As an initial step in the process, the new arrangements will apply to the recruitment competition for executive officers, which will be organised shortly. It is intended to create a sub-panel of persons who are competent in Irish, and this sub-panel will consist of 6% of the total panel.

In addition to these measures, my Department has signed a service level agreement with the Department of Public Expenditure and Reform to provide Irish language training and competency testing for the civil service and certain public service organisations. It is encouraging that, since November 2011, over 300 civil servants have taken part in training courses organised by the training body Gaelchultúr, which has a contract with Foras na Gaeilge to provide training courses to the public service.

**Review of the Official Languages Act 2003**

The review of the Official Languages Act 2003 has now been completed and the draft Heads of Bill to amend the Act will be submitted to Government very shortly. The objectives of the review were to ensure that the Act is an effective mechanism to support the development of the Irish language in an efficient and cost-effective manner and that the obligations arising from the Act are appropriate to ensure the satisfactory provision of services in Irish by public bodies, in line with public demand.

Approximately 1,400 survey responses and 262 submissions were received during the consultation process which was organised as part of the review. It is intended to submit the draft Heads of Bill to the Committee on the Environment, Culture and the Gaeltacht and to publish them on the Department's website along with the results of the consultation process, as soon as Government approval has been received.

**Amalgamation of the Office of An Coimisinéir Teanga with the Office of the Ombudsman**

In addition to the various amendments proposed as a result of the review of the Act, provisions relating to the amalgamation of the Office of An Coimisinéir Teanga with the Office of the Ombudsman will be included in the draft Heads of Bill. I would like to emphasise here that this amalgamation will not affect the independence of An Coimisinéir Teanga in the operation of his powers and the office will remain in the Gaeltacht. The details of the amalgamation will be provided when the draft Heads of Bill are published.

**Road Signs**

As noted in the annual report of An Coimisinéir Teanga for 2012, the road authorities must comply with their obligations under the Traffic Signs Manual. I have no statutory function in relation to that obligation. It is worth noting that road signs do not come under the Languages Act.

**Conclusion**

In conclusion, Chairperson, I would like to emphasise that this Government is committed to the promotion of the Irish language. Valuable progress has been made and is being made for the past number of years and we can be optimistic as opposed to pessimistic with regard to the strong foundation laid, including language rights and other institutional structures, to support the Irish language.

The Official Languages Act is of particular importance in protecting citizens' rights regarding their choice of language and the Office of An Coimisinéir Teanga has a central role in monitoring the implementation of the Act. I would like to take this opportunity to wish Mr. Rónán Ó Domhaill, who will shortly be appointed as Coimisinéir Teanga, the very best. I am certain that he will undertake his duties as enthusiastically and energetically as the first Coimisinéir, building on the strong foundation laid by Mr. Seán Ó Cuirreáin over the past ten years.

Thank you, Chairperson and members of the Joint Committee, for providing me with the opportunity to speak here today.

**ENDS**