

* Briefing
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16/6/98

cc: See Below

From: J A Canavan
CCRU

10 June 1998

To: PS/Secretary of State (B&L)

**PRISONERS BILL SECOND READING - DEFENSIVE LINES ON MINORITY
LANGUAGES CHARTER**

Issue: Defensive lines on Irish and Ulster-Scots, in case raised during the Second reading of the Prisoners Bill.

Timescale: Second reading is today.

Background

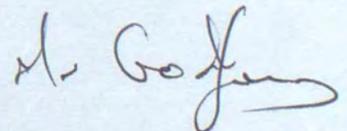
1. Attached are defensive lines for use by Mr Ingram, should the issue of the recent Foreign Office announcement on the European Charter for Regional or Minority Languages be raised.
2. It is understood that Unionists are now aware of the FCO Parliamentary Reply of last Thursday and they may be concerned that the intention to give Part III status at some point in the future to Irish gives too much importance to that language. They may also be concerned that Ulster-Scots is not given the status of a minority language. They will not be aware of the intention to initiate research on Ulster-Scots, which is referred to in the attachment.

[Signed: JAC]

J A CANAVAN

cc: PS/Mr Ingram (DED,B&L)
PS/Mr Worthington (DENI,DHSS,DED&L)
PS/Mr Murphy (DFP,B&L)
PS/Mr Pilling (B&L)
PS/Mr Semple
Mr Jeffrey
Mr Watkins
Mr McCusker
Mr Stephens
Mr Ferguson
Mr Beeton
Mr Davis


10/6



TC6586/DW

PRISONERS BILL - SECOND READING

COUNCIL OF EUROPE CHARTER FOR REGIONAL OR MINORITY LANGUAGES (DEFENSIVE LINES, IF RAISED)

- The Government recently announced its intention to sign the Council of Europe Charter for Regional or Minority Languages. This relates to the treatment of indigenous minority languages in those regions of the UK where they are used - such as Welsh and Scottish Gaelic, as well as Irish in Northern Ireland.
- The current level of provision for the Irish language falls short of allowing us to specify it for purposes of Part III of the Charter at this stage. We propose to identify action which needs to be taken to enable us to specify Irish at an early date. Any changes to current practices and provision for the Irish language will be **where appropriate and where people so desire it** (Good Friday Agreement wording).

Ulster-Scots [If Raised]

- We propose to commission independent academic research which will enable us to determine whether Ulster-Scots should be treated as a language for purposes of the Charter.

Background

It was announced on 4 June that the UK will become a signatory to the Charter. It is intended to specify Irish for the detailed commitments of Part III of the Charter at an early date, following specification of Welsh and Scottish Gaelic. Nationalists have been pressing for specification as soon as possible and may be disappointed that there will be further delay. However, current provision falls short of the objective threshold for specification.

Some Unionists support the claims of Ulster-Scots to the status of a language, distinct from English. The Agreement refers to it in the context of 'linguistic diversity', which may mean either a dialect or a language. Independent academic research is being commissioned to help the Government come to a view on this and whether Ulster-Scots should come within the scope of the Charter. In the meantime, Unionists may complain that Ulster-Scots has not been accepted as a language for purposes of the Charter.

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From: J A Canavan
CCRU

cc: See Below

1 June 1998

To: PS/Secretary of State (B&L)

IRISH LANGUAGE - PART III OF CHARTER

Issue: Secretary of State has requested information on possible provisions of European Charter which would enable us to specify Irish.

Timescale: Immediate - this is linked to today's consideration of response to the Welsh Secretary.

Background

1. At this morning's meeting, the Secretary of State asked for the identification of a range of provisions of the Council of Europe Charter for Regional or Minority Languages, which, if adopted in the future could bring Government activity over the threshold for specification under Part III. I attach a note on some 15 provisions, together with likely costs and timescales.
2. Many of these involve a public sector translation/interpreting resource. Though a number of officials have been identified for translating correspondence from Irish into English, it would take time to establish whether these are sufficient for the more onerous task of translating documents into Irish. This would determine the extent to which translation/interpreting resources had to be contracted out, or dedicated translation personnel needed to be recruited. I would estimate that it would take up to six months before the public sector could start providing reliable Irish language or bilingual texts, documents and forms. Administrative guidance would also need to be drafted to advise Departments on how to fulfil the Charter requirements.
3. Also attached is Part III of the Charter, with the 22 sub paragraphs underlined, where we seem to be currently in line with the Charter.

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I would stress again this has been a very rapid exercise and is subject to revision in the light of more detailed research.

[Signed: JAC]

J A CANAVAN

cc: PS/Mr Worthington (DENI,DHSS,B&L)
PS/Mr Murphy (DFP,B&L)
PS/Mr Pilling (B&L)
PS/Mr Semple
Mr Carvill
Mr Watkins
Mr Bell
Mr McCusker
Mr Stephens
Mr Ferguson
Mr Davis

TC6569/DW

ART III OF THE CHARTER ON REGIONAL OR MINORITY LANGUAGES

The attached extract from the Charter sets out, underlined, the 22 provisions which match current Government activity in relation to Irish.

In addition to these, the following 13 provisions would be the easiest to make progress on, bearing in mind the requirement to do so where appropriate and where there is a desire for them. Fifteen possible options are identified below, with a rough estimate of their resource impact.

Article 8 (1)(i) - Establishing a supervisory body or bodies responsible for monitoring the teaching of Irish and drawing up periodic reports for publication (costs low - essentially expenses and publication - timescale: end 1998).

Article 8 (2) - Encouragement of provision of teaching of Irish in other parts of UK, subject to demand (no cost to Northern Ireland - it is understood that such provision has been made in London).

Article 9 (1)(c) - Allowing a litigant to use Irish in proceedings before a "court concerning administrative matters" - it is assumed that this is the same as administrative tribunal - costs would involve the hire of an interpreter for each tribunal, where notice had been given in advance (costs dependent on demand and duration of tribunal - timescale: 1999).

Article 9 (3) - Translations of the most important national statutory texts and those relating particularly to users of the minority language - examples would be the Agreement (now available, Settlement Act, Bill of Rights, education legislation referring to Irish, etc) - costs would depend of how widely the net was cast; it would require specialist translation, probably contracted out to a university (moderate expenditure on translation and publication, say £50 per year - timescale: could start this year).

Article 10 (1)(b) - Provision of widely-used administrative texts and forms in Irish or bilingual versions - these could be available on demand and could be translated either in-house by bilingual officials, or contracted out to private-sector translators (say, another £50k per annum - timescale: start in 1999).

Article 10 (1)(c) - Allowing administrative authorities to draft documents in Irish - this provision could be used on a very limited basis, say for the publication of draft Orders in Council or Measures, which were particularly relevant to the Irish language community, in a

consultation process (as these would be made available in final form under Article 9(3), there would be little additional cost - timescale: 1999).

Article 10 (2)(b) - Allowing/encouraging oral/written submissions in Irish to local and regional authorities - this could involve encouraging District Councils to follow current Government practice of accepting correspondence in Irish (little additional cost - timescale: this summer).

Article 10 (2)(g) - Use or adoption, if necessary in conjunction with the official languages, of place names in regional or minority languages (use of bilingual street names in official correspondence is allowed, this provision would extend the practice to city/town names, which could be confirmed by an Ordnance Survey list - not proposed to extend bilingual names to traffic signs, which could have larger cost implications - timescale: this year).

Article 11 (1)(g) - Support for training of journalists and other staff for Irish language media - some T&EA training for Irish-medium TV technicians has already been provided - this provision could extend training to cover journalists either through T&EA or further/higher education courses (cost could be kept low, say £50k per annum - timescale: next year).

Article 12 (1)(b) - Assisting translation, dubbing, subtitling etc of Irish language cultural works into other languages - the need for such translation would be increased if Irish language film and TV production developed, as foreseen by the Agreement (costs could be kept relatively low, by putting a ceiling on the number of works supported, say £100k per annum max - timescale: 1999).

Article 12 (1)(f) - Encouraging direct participation by users of minority language in providing facilities and planning cultural activities - this would probably involve steps by Arts Council, MBW, CCRU, etc and may already happen to some extent (costs minimal - changes only in administrative practices - timescale: this year).

Article 12 (1)(h) - Promoting and financing translation and terminological research on appropriate administrative, commercial, economic, social, technical or legal terminology in the minority language - an approach has already been made by TELI (the European Language Initiative) for support for an Irish/English dictionary of administrative terminology (requested cost of NI contribution - £24k - timescale: start in autumn 1998).

Article 13 (2)(b) - Activities to promote the use of the minority language in the public sector - to be argued that the synergy of the other provisions in the public sector would achieve this objective (no additional cost).

Article 13 (2)(c) - Hospitals and social care facilities to offer possibility of receiving and treating persons in their own language - demand expected to be very limited and confined to particular areas, but would involve identifying fluent staff in hospitals, old peoples' homes, etc where this might occur (costs not expected to be high).

Article 13 (2)(e) - Information on consumer rights to be made available in minority language - this would involve translation in-house or contracted out for a limited number of documents (limited costs in addition to those incurred under other provisions of Article 10 - timescale: 1999)