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Chief Executive

CASTLEREAGH BOROUGH COUNCIL

Stye Braes o Ulidia Burgh Cooncil

AMD/SS

31 March 2004

Ms Siobhan Broderick
Northern Ireland Court Service
21st Floor Windsor House
9 - 15 Bedford Street
BELFAST BT2 7LT

Dear Ms Broderick

USE OF IRISH LANGUAGE IN COURTS IN NORTHERN IRELAND

Thank you for your letter dated 20 February 2004, which was tabled for our elected Member's attention at Council's monthly meeting on Thursday 25 March. I can confirm that the Council having fully debated this issue, is extremely concerned at the proposal to introduce the use of the Irish language in Courts in Northern Ireland and is strongly opposed to such measures.

The Council maintains that since there are no monolingual Irish speakers, then there is no legitimate demand for such measures to be taken in the Court Service and, indeed, that the implementation of such a needless venture will not only prove extremely costly to the taxpayer, but will also inevitably alienate and exclude non-Irish speakers. It is the Council's view that to continue using English as the sole language excludes no-one.

The Council's strongly held belief is that if the Court Service does proceed with such measures, then it must do so on the basis of equality and include Ulster Scots. The Council asserts that Ulster Scots should be treated with parity in terms of recognition, respect, resources and representation.

The Council notes that since Ulster Scots is recognised under part 2 of the Charter, that it should naturally progress to part 3, and yet in order to do so, it too must be used in public life. Hence the Council believes that it is essential to have equality in these matters and, accordingly, discussion papers should not relate solely to the issue of use of one language. Indeed to proceed on such a basis renders the Court Service guilty of promoting one culture and identity at the expense of the other.

In addition, since both the minority languages of Irish and Ulster Scots were recognised in the Belfast Agreement from whence these proposals emanate, then for the Court Service to recognise only one is blatant discrimination. It is the Council's recommendation that either both are recognised, or none.

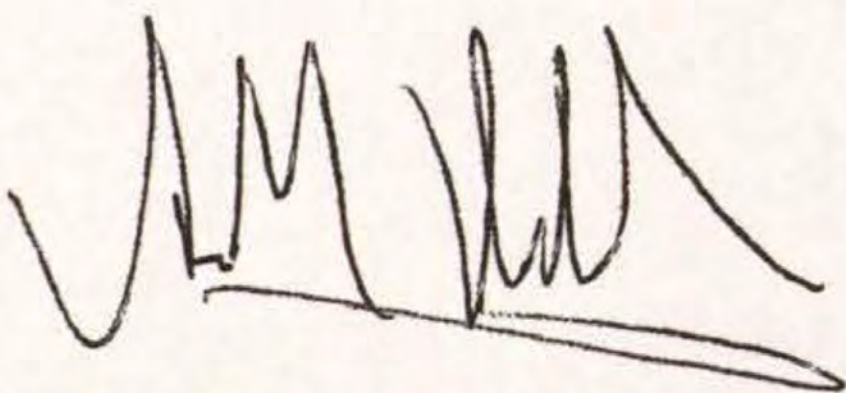
The Council believes that in order for these proposals to take effect, Judges, Court Staff, Barristers and Solicitors will be required to understand and be able to communicate in Irish. Since the vast majority of Irish speakers are from the Nationalist community, then the perception to the other community will be of a Catholic Court for a Catholic people.

Furthermore, in practical terms, legal cases often hinge on fine points of law and such fine nuances of language and terminology are critical in certain cases. In translation from one language to another, these nuances are frequently lost or diluted, and the result of this could be that it may lead to miscarriages of justice.

The Council also notes with some consternation that these proposals come not long after concerted efforts to ensure that the Courts are politically neutral environments.

Finally, our elected Members have asked for an explanation as to why the consultation process on such an important issue was not wider and less prescriptive. Why is it over such a short period of time, and why were other interested Parties such as MLAs, The Ulster Scots Agency and The Ulster Scots Heritage Council not included in the list of key stakeholders who were consulted?

Yours sincerely



A M DONALDSON
Chief Executive