

1 INTRODUCTION

- The Northern Ireland Court Service commissioned RES in February 2004 to conduct research into the use of Irish in Court and Tribunal proceedings in Northern Ireland. The core purpose of the research was to establish the demand for the use of the Irish language in Court and Tribunal proceedings, as well as to elicit views on the implications associated with using Irish therefore, in carrying out the research as broad a range of representatives as possible were invited to participate. These included members of the legal profession, the judiciary, public sector staff, Irish Language groups, voluntary organisations, and members of the general public.

1.1 BACKGROUND AND RATIONALE

- The Interdepartmental Group, established to ensure the effective implementation of the European Charter for Regional or Minority Languages in the context of Northern Ireland, has approved the establishment of a sub-group, which will consider the implications of applying the provisions of Article 9(1) (use of language in Court/Tribunal proceedings) in respect of the Irish language. The findings which have emerged from this research will be used by the sub-group to make a preliminary report and recommendations to Government later this year.
- The Charter is an international convention designed to protect and promote regional and minority languages. The Government ratified the Charter on 2 March 2001, specifying Irish, Scottish Gaelic and Welsh for the purposes of Part III of the Charter which commits the Government to facilitate and encourage the use of these languages in speech and writing in public and private life, where appropriate, and to seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of these languages.

1.2 RESEARCH OBJECTIVES

- The core objective of the research was to:
 - ☒ *establish the demand for the use of the Irish language in Court and Tribunal proceedings in Northern Ireland by examining the following:*
 - ☒ the number of persons in Northern Ireland who can speak Irish;
 - ☒ the number of persons who might want to be able to use Irish in the circumstances detailed in Appendix 1;
 - ☒ the number of persons who would personally use Irish in the circumstances detailed in Appendix 1; and,
 - ☒ The priority for the use of Irish in the circumstances detailed in Appendix 1.

2 METHODOLOGY

- The methodology used by RES was comprised of four key elements as outlined below:

- ☒ Desk Based Research;
- ☒ Survey of Court Users (N=161).
- ☒ In-depth Interviews (N=20); and,
- ☒ Focus Groups (N=6).

2.1 DESK BASED RESEARCH

- RES undertook a desk based research exercise at the outset of the Project. The primary focus of this exercise was to explore existing statistical material relating to the use / knowledge of Irish within the context of Northern Ireland. Emphasis was placed on examining the Census figures (2001) to obtain a breakdown of the number of people in Northern Ireland who have some knowledge of the Irish language.

2.2 IN-DEPTH INTERVIEWS

- Having agreed the list of participants with representatives from the Northern Ireland Court Service Project Steering Group, RES forwarded a letter to each, informing them of the forthcoming research and inviting them to participate (see Appendix 2). A senior member of staff from RES then made follow-up telephone calls to schedule appointments with each. A total of 20 in-depth interviews were conducted with representatives from the legal profession, judiciary, Irish language bodies, public sector bodies, voluntary organisations and insurance companies (Appendix 3 contains a full list of the organisations represented). The average duration for each of the interviews was approximately 50 minutes. The range of questions addressed were agreed in advance with the Northern Ireland Court Service (see Appendix 4), however, due to the fact that some of the interviewees felt that the questions were too sensitive, a modified version was used on a few occasions (see Appendix 5).³

2.3 FOCUS GROUPS

- RES conducted six focus groups as outlined below:

*Within / Alongside the Criminal and Civil Justice System:*⁴

- ☒ Key Stakeholders I (including members of the legal profession / judiciary); and
- ☒ Public Sector I (including Public Sector staff i.e. Government Departments).

*Outside the Criminal and Civil Justice System:*⁵

- ☒ Key Stakeholders II (including Irish language groups, voluntary sector representatives);
- ☒ Public Sector II (including Irish Language Groups, voluntary sector representatives);
- ☒ Members of the general public I (Belfast); and,
- ☒ Members of the general public II (Omagh).

³ Views gathered from the in-depth interviews are outlined in Chapter 5.

⁴ Views gathered from those working within / alongside the Criminal and Civil Justice System are outlined in Chapter 6.

⁵ Views gathered from those working outside the Criminal and Civil Justice System are outlined in Chapter 7.

2.3.1 FOCUS GROUP RECRUITMENT / ATTENDANCE

- Following discussions with the Project Steering Group a list of potential focus group participants (key stakeholders, public sector staff and voluntary organisation representatives) was agreed. RES then issued a letter to each of the potential participants informing them of the forthcoming research and inviting them to take part (see Appendix 6). A follow-up telephone call was made by RES-TEL⁶ staff to confirm attendance and to provide information regarding the date, time and location of each of the groups.
- Populating the general public focus groups involved RES-TEL staff recruiting 18 potential participants using the profile outlined in Appendix 8. This profile was based on the 2001 Census data. As shown in the desk research exercise, only 10% of the general population had any knowledge of Irish, therefore for recruitment purposes 2 of those invited were Irish speakers, giving an overall total of 20 invitees to the two general public groups. Both Irish speakers were recruited through contacts established with two of the Irish language bodies involved in the in-depth interview phase of the research.
- Four of the groups were held RES's head office in Belfast, one in a local hotel and one in Omagh. On average, each of the groups lasted for approximately 1.5 hours. The total number of people invited and those who attended is outlined in Table 2.1 below (see Appendix 9). The range of themes used for the in-depth interviews were also used for the focus groups (see Appendix 4).

TABLE 2.1: Focus Group Recruitment/Participation⁷

<i>Within / Alongside the Criminal and Civil Justice System</i>	Numbers Recruited	Number of Actual Participants
Key Stakeholders I	10	2
Public Sector I	10	3
<i>Outside the Criminal and Civil Justice System</i>		
Key Stakeholders II	10	2
Public Sector II	10	1
General Public I (Belfast)	10	9
General Public II (Omagh) ⁸	10	3
TOTAL:	60	20

- RES offered general public participants an incentive of £20 for taking part in a focus group. However, given the make-up of the remaining focus groups it was not considered necessary to provide incentive monies for those participants.

⁶ RES-TEL (RES' Telephone Research Centre) – See Appendix 7 for further details.

⁷ Every effort was made during the limited time frame to encourage participation. However, despite making numerous attempts by letter, fax and follow-up telephone calls, the number of overall participants remained low.

⁸ The decision to base the general public focus groups in Omagh and Belfast was based on the desire to incorporate an East / West, rural / urban split, as well as the fact that both areas reflected having relatively high levels of knowledge of Irish in the 2001 Census.

- It should be noted that RES made every attempt possible to recruit for a voluntary sector group to run in Derry / Londonderry. However, as a result of no attendees turning up, our consultants established contact with representatives from two of the bodies invited to take part and asked them to participate in a brief 30 minute telephone interview. Both agreed and as a result two telephone interviews were completed with voluntary sector representatives. For the purpose of the analysis from both interviews has been subsumed into the focus group write-up.

2.4 SURVEY OF COURT USERS

- Following discussions with representatives from the Project Steering Group it was decided that the most appropriate method for conducting the survey element of the research was to recruit Court users on-site at a number of locations throughout Northern Ireland using an exit poll strategy. The locations selected were as follows:

- ☒ The Royal Courts of Justice;
- ☒ Laganside Courts; and,
- ☒ Dungannon Court House.

2.4.1 CONDUCTING THE EXIT POLL

- Two senior Fieldwork Officers from RES attended the above locations on a total of 5 occasions to recruit participants by obtaining contact names together with telephone numbers. Some 294 contact details were obtained in total. Each Fieldwork Officer was briefed to ensure that Court staff, solicitors, barristers, judges, journalists etc were not recruited as Court users (see recruitment schedule contained in Appendix 10). Table 2.2 below provides a breakdown of the number of Court users recruited alongside the number of follow-up telephone interviews successfully achieved.

TABLE 2.2: Exit Poll Recruitment Alongside Number of Successfully Achieved Telephone Interviews		
	Numbers Recruited	Number of Achieved Interviews
The Royal Courts of Justice	149	104
Laganside Courts	67	28
Dungannon Court House	78	29
TOTAL	294	161

- Having obtained contact details for 294 Court users RES-TEL staff then telephoned each of the numbers contained in the sample to conduct a telephone interview. A total of 161 interviews were successfully achieved. In some instances over 12 call-back attempts were made before an individual was deemed non-contactable. The timing of call-backs were varied to ensure a mixture of different times, for example, afternoon, evenings and weekends.

2.4.2 QUESTIONNAIRE DESIGN

- Following detailed discussions with the Project Steering Group our team of Consultants ensured that the questionnaire was designed in such a way as to gather information on each of the following:
 - ☒ demand for the use of the Irish language in Court and Tribunal proceedings in Northern Ireland;

- ☒ number of people who might want to be able to use Irish in the circumstances outlined in Appendix 1;
- ☒ number of people who would personally use Irish in the circumstances detailed in Appendix 1; and,
- ☒ the priority for the use of Irish in the circumstances detailed in Appendix 1.

A number of socio-demographic background questions were added to the questionnaire to allow appropriate sub-analysis of the data (see Appendix 11). The overall length of the questionnaire was approximately 10 minutes.

2.4.3 CONDUCTING THE SURVEY

- Following a pilot survey of 6 cases, minor revisions were made to the questionnaire and a final draft submitted to the Project Steering Group. On approval, the questionnaire was then programmed for use as a Computer Assisted Telephone Interview (CATI). Fieldwork for the survey lasted for 10 days.
- It should be noted that despite repeated efforts made by RES to include Tribunal users in the survey element, it was not possible for our staff to gain access to the required premises in order to recruit potential participants.