



Statement from An Coimisinéir Teanga – 14 May 2015

Embargo: 11am, 14 May 2015

An Coimisinéir Teanga has reported the Department of Education and Skills to the Houses of the Oireachtas because it has failed to fulfil its obligations under the Education Act 1998. Rónán Ó Domhnaill said that the recommendations made as part of a statutory investigation were not satisfactorily implemented. The investigation revealed that an attempt was made to compel a Gaeltacht school into accepting the relocation of a teacher from a redeployment panel even though the school authorities and the teachers in question felt that the teachers had insufficient Irish to carry out their work in that language.

Referring to the case at the launch of his Annual Report, An Coimisinéir Teanga said *“This is the first time that I have sent a case to the Houses of the Oireachtas, and the issue involved could not be more important. The Department of Education and Skills has not put a system in place which ensures that teachers teaching in Gaeltacht Schools and Gaelscoileanna are fluent in the Irish Language. I simply cannot accept that.”*

As part of the Office’s compliance activities in 2014, an audit was carried out on the level of compliance by local authorities with their obligation to have bilingual recorded oral announcements. Only two local authorities, Donegal and Laois, were found to have recorded messages in compliance with the regulations at public phone numbers. *“This demonstrates the widespread lack of care for the language by the State generally; if local authorities aren’t complying with their language obligations, what hope does a citizen have in getting the proper service from the State generally?”*

During 2014, An Coimisinéir Teanga instigated seven statutory investigations, and he issued a final report in respect of the Health Service Executive, Dublin Bus and the Railway Procurement Agency. *“Generally, the investigations are as a result of a lack of awareness amongst public bodies of the most basic aspects of language legislation in Ireland.”*

Rónán Ó Domhnaill has been Coimisinéir Teanga for over a year, having succeeded Seán Ó Cuirreáin in March 2014.

Notes for Editors

Complaints and Investigations

The Office of An Coimisinéir Teanga handled 709 new complaints during 2014, a 1% increase on 2013 (702). 88 complaint files were open at the end of 2014 in comparison with 72 at the end of 2013.

The Office operates an informal resolution process as the first step of its investigative process which means that the majority of cases are resolved by discussing the matter with public bodies or by giving advice to citizens.

7 statutory investigations were instigated by the Coimisinéir during 2014 and a final report was issued in relation to the Health Service Executive, the Railway Procurement Agency and Dublin Bus. (Full details of these cases are available on pages 29-43 of the Annual Report.)

Language Schemes

At the end of 2014, 99 language schemes were confirmed, which covered 113 public bodies. 53 of those 99 schemes were in place for longer than three years – the period of time by which public bodies are supposed to confirm a new scheme with the Minister. Although the number of schemes being confirmed by the Minister did increase, the average time that a scheme had lapsed also increased, from 32 months to 50 months. The Coimisinéir's attitude in relation to language schemes has been set out clearly in speeches he has given to Oireachtas Committees and at public events, and in the statement he gave today.

Report to the Houses of the Oireachtas

In the event that the Coimisinéir makes recommendations in a statutory investigation and that those recommendations are not implemented satisfactorily, the Coimisinéir may report this to the Houses of the Oireachtas. The Coimisinéir decided to send a report of this nature because he was not satisfied that recommendations made in an investigation of the Department of Education and Skills had been implemented. Further information is available on page 40-45 of the 2013 Annual Report http://www.coimisineir.ie/downloads/Tuarascail_Bhliantuil_2013.pdf

Audit of Recorded Oral Announcements

Under the regulations made under section 9(1) of the Official Languages Act 2003 (S.I. 391 of 2008) any recorded message at a public phone number in use by a public body, i.e. main number or section number, must be in Irish and in English. During 2014 the Office carried out an audit of recorded oral announcements in use by local authorities, and a very low level of compliance was found. A review is underway at present which has revealed a certain amount of improvement.

Court Case

On 20 February 2015 in the High Court, Judge Colm Mac Eochaidh refused the appeal being sought by the Revenue Commissioners on a decision by An Coimisinéir Teanga in a case which involved section 9(3) of the Official Languages Act 2003. An Coimisinéir Teanga welcomed the decision at the time and said *"The most important thing for me as Coimisinéir is that citizens' language rights are protected. I believe that today's decision protects those rights."* Details of the case may be found on pages 49-54 of the 2013 Annual Report.

http://www.coimisineir.ie/downloads/Tuarascail_Bhliantuil_2013.pdf

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