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Subject: Irish in Court

An information campaign to advise Irish speakers of their statutory right to use Irish in any court has been launched by An Coimisinéir Teanga, Seán Ó Cuirreáin, to counteract the perception of “compulsory English” in legal affairs.

“It appears that many Irish speakers, even in the strongest Gaeltacht areas, are either unaware of their right to use Irish in court business or remain convinced that it is in their best interests to leave their language rights and preferences aside and opt for English as the default language of the law,” said Seán Ó Cuirreáin.

This reluctance is not shared by speakers of other languages. Over 10,000 requests were made to the Courts Service last year for interpreters for 71 different languages. Polish topped the list for this fundamental service which is essential for the proper administration of justice. The other main languages were Romanian, Lithuanian, Russian, Mandarin Chinese, Latvian, Portuguese, French, Czech and Arabic. “Irish wasn’t even in the top ten languages,” said Seán Ó Cuirreáin.

Media reports estimate that the Courts Service faces an annual bill of over €2m for interpreters. However, the cost of providing interpretation services for Irish was less than €2,000 in total during 2006 and fell further to €1,012 in 2007, according to official figures provided by the Courts Service to An Coimisinéir Teanga.

“These figures speak for themselves,” said Seán Ó Cuirreáin. “In some cases, interpretation is not required where the judge and other participants are fluent in Irish, but the percentage of such cases is negligible on an annual basis and in a national context.”

The right to use Irish in court whether as a witness, defendant, plaintiff or victim is guaranteed under the Official Languages Act and a person may not be disadvantaged or inconvenienced or incur additional expense because of his or her choice of official language.

This right applies in any court and it falls to the courts to make arrangements for interpretation as it considers appropriate.

The language legislation also ensures that no one may be compelled to give evidence in a language other than the official language of their choice. “The legislation does not in any way prohibit the use of foreign languages in court and

it would be an abuse of human rights to conduct court proceedings without due regard to the language ability of participants,” said Seán Ó Cuirreáin.

An Coimisinéir Teanga referred to a poll commissioned by the Health Service Executive in areas of the Gaeltacht in 2007 which showed that 75% of those surveyed could express themselves better in Irish than in English when dealing with health professionals.

“The same would more likely than not be true in their dealings with the courts and with legal issues. Increased awareness of language rights and increased confidence that choosing Irish will not disadvantage them in any way is a key requirement,” said Seán Ó Cuirreáin.

“Many international linguistic experts would argue that the marginalisation of lesser used languages, by restricting the spheres in which they are commonly used, can only hasten their demise. Creating a space for the Irish language in the court system in accordance with legislation is a valuable and positive endeavour,” he said.

Further information: Damhnait Uí Mhaoldúin (091) 504 006 or 0872197946.

(ENDS)