



## **OFFICE OF AN COIMISINÉIR TEANGA**

### **STATEMENT OF STRATEGY**

**February 2020 – January 2023**

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## 1. INTRODUCTION

1.1 This Statement of Strategy is published in accordance with the Code of Practice for the Governance of State Bodies and it encompasses the period from February 2020 to January 2023.

1.2 It is the aim of this Statement of Strategy to give an account of the main objectives of the Office for the three-year period ahead.

1.3 The Office of An Coimisinéir Teanga is a statutory and independent office established under the Official Languages Act 2003. The President of Ireland appoints An Coimisinéir Teanga<sup>1</sup> on the advice of the Government following a resolution passed by the Houses of the Oireachtas recommending that appointment.

1.4 On 12 March 2014, the President of Ireland Michael D. Higgins appointed Rónán Ó Domhnaill as Coimisinéir Teanga, upon his nomination by the Government. The Houses of the Oireachtas (Dáil Éireann and Seanad Éireann) unanimously endorsed the nomination.

1.5 The Office of An Coimisinéir Teanga is committed to fulfilling its statutory obligations and to providing a high quality service to our customers in accordance with the commitments in our Customer Charter. This Statement of Strategy is influenced by our relationships with our stakeholders, including the general public and the State's public bodies.

1.6 This Strategy will be reviewed continuously during its three-year duration, especially as a result of feedback from our stakeholders.

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<sup>1</sup> Under section 2 of the Official Languages Act 2003: "Coimisinéir" means, as the context may require, Oifig Choimisinéir na dTeangacha Oifigiúla established by section 20 or the holder, for the time being, of that office.

## 2. FUNCTIONS

2.1 The aim of the Act is to ensure that the quality and number of state services in Irish increase in an organised manner over time. Revision of the Official Languages Act began in November 2011 and headings for the new Bill were published in April 2014 and the most recent headings in 2017. The Bill was published during the preparation of this Statement of Strategy. It is acknowledged that an amended Act could have an impact on the functions of An Coimisinéir.

2.2 In summary, the Office of An Coimisinéir Teanga acts as a compliance agency and as an ombudsman service and it provides advice in relation to language rights and obligations.

2.3 The functions of the Office of An Coimisinéir Teanga are laid out in section 21 of the Official Languages Act 2003. Specifically, the Office of An Coimisinéir Teanga is obliged to:

- Monitor compliance by public bodies with the provisions of the Official Languages Act and to take all necessary measures to ensure performance of their obligations under the Act by public bodies.
- Carry out investigations on the initiative of An Coimisinéir Teanga, on request by the Minister for Culture, Heritage and the Gaeltacht or pursuant to a complaint in cases where it is believed that public bodies have failed to carry out their obligations under the Official Languages Act. An Coimisinéir Teanga also has the right to carry out an investigation into any valid complaint where it is alleged that provisions of other enactments relating to the status or use of the Irish language are being contravened.
- Provide advice to the public regarding their language rights under the Official Languages Act.
- Provide advice to public bodies regarding their language obligations under the Official Languages Act.

2.4 In addition, the Office of An Coimisinéir Teanga is required to:

- Provide an annual report on its work to the Minister for Culture, Heritage and the Gaeltacht to be presented to the House of Oireachtas.
- Present its financial annual accounts to the Comptroller and Auditor General and to provide these accounts to the Minister for Culture, Heritage and the Gaeltacht to be laid before the House of Oireachtas.

2.5 An Coimisinéir Teanga is statutorily obliged to be independent in fulfilling his or her obligations.

### **3. MISSION STATEMENT and STANDARDS**

#### **3.1 MISSION STATEMENT**

##### **Mission Statement**

The following is the mission statement of the Office of An Coimisinéir Teanga:

To provide an independent quality service whilst fulfilling our statutory obligation to ensure state compliance in relation to language rights.

To ensure fairness for all by dealing in an efficient, professional and impartial manner with complaints regarding difficulties in accessing public services through the medium of Irish.

To provide clear and accurate information:

- to the public in relation to language rights, and
- to public bodies in relation to language obligations.

The motto of the Office is: Protecting Language Rights.

#### **3.2 STANDARDS**

##### **3.2.1 Benefit of the public**

The Office will always operate for the benefit of the public. We will be conscious of the obligation of the Office to provide a high standard of service to members of the public that make a complaint with us regarding their efforts to avail of State services in their choice of official language.

##### **3.2.2 Impartiality**

The Office will make every effort to be impartial when fulfilling its functions. True and fair interpretation of the statutory obligations that arise from the Act or from any other enactment relating to the use or status of official languages will be endeavoured.

##### **3.2.3 Honesty / Integrity**

An Coimisinéir Teanga, or any member of the Office's staff will not be beholden to external organisations or to individuals with regards to language rights and obligations that come under the legislation.

##### **3.2.4 Transparency**

The Office will publicly administer as much information as possible concerning the affairs of the Office. Essential restraints pertaining to providing the general public with material relating to fulfilling the functions of the Office will be adhered to.

### 3.2.5 Consistency

The Office will make every effort to be consistent in relation to interpreting legislation. It must be recognised that some statutory provisions can be complicated and therefore, in exceptional cases, the Office's interpretations may be adjusted. In such cases, every effort will be made to clearly explain the Office's point of view.

### 3.2.6 Public Sector Equality and Human Rights Duty

The Irish Human Rights and Equality Commission Act 2014 places a duty on public bodies to have due regard to human rights and equality issues. This Office is adopting a proactive approach to implementing this obligation.

The protection of citizens' language rights is at the heart of the work of the Office. This fosters a particular understanding among staff in the area of respecting human rights. During 2019, we ensured that staff undertook access training online, to increase awareness within the organisation. It is proposed to build on that training over the next three years through assessing which of the human rights and equality issues are relevant to our functions. We will identify policies, plans and actions that need to be taken to address those issues. Our internal policies and procedures will be included in that process. When those policies and actions have been adopted, we will put a system in place to monitor progress.

## 4. ENVIRONMENT: STRENGTHS and CHALLENGES

### The Environment in which the Office operates

The Office of An Coimisinéir Teanga is a statutory and independent office which has specific functions to fulfil under the Act. The Act itself aims to improve the supply of public services through the medium of Irish, however, two main responsibilities have been designated to this Office:

- to deal with complaints from the public, and
- to monitor the fulfilment of the Act's provisions.

The Office has no role in providing support services to public bodies (apart from imparting advice), in monitoring the State's language policies or in advising the Minister with regards to the provision of public services through the medium of Irish. Among the main aspects of the environment in which we operate are:



The environment in which the Office of An Coimisinéir Teanga operates provides opportunities and challenges which influence our strengths and weaknesses. Our strategy is clearly influenced by that environment and by various factors, many of which lie outside our immediate control.

### 4.1 Status of the Irish language and the State's Policy

Under the Constitution of Ireland, Irish is the national language and the first official language of the country. English is also an official language of the country. The Official Languages Act is the main piece of language legislation that the Oireachtas has enacted and with it, the aim to promote the Irish language in the public service. The Office will act in accordance with the functions and the powers specified in the Act. There are provisions pertaining to the use of the official languages in many other pieces of legislation and An Coimisinéir Teanga has the authority to investigate any non-compliance with these pieces of legislation. Decisions regarding any language responsibilities arising from the Constitution are made by the courts. Since the 20-Year Strategy for the Irish Language 2010-2030 and the

Statement on the Irish Language 2006 (the State's main policies with regards to the Irish language) are not enactments, they do not come under the jurisdiction of the Office.

#### 4.2 The Irish-Speaking Community

The census that is carried out every 5 years provides an insight into the number of Irish-speakers in the country and those who are most likely to seek public services through Irish. The key data from those censuses are as follows:

	2016	2011	Change %
Number of people able to speak Irish	1,761,420	1,774,437	(0.7%)
Number of daily Irish-speakers outside the education system	73,803	77,185	(4.4%)
Number of weekly Irish-speakers outside the education system	111,473	110,642	0.8%
Number of daily Irish-speakers outside the education system – Gaeltacht	20,586	23,175	(11.2%)
Number of weekly Irish-speakers outside the education system – Gaeltacht	6,284	6,813	(7.8%)

One of the confirmed aims of the 20-Year Strategy for the Irish Language is to increase the amount of people who avail of State services through the medium of Irish. Although it may appear that this government strategy has the potential to increase the provision and use of services through Irish, this is evidently contingent on the actions adopted under that strategy.

#### 4.3 Provisions in the Act

The provisions made in the Act lay down obligations for the public bodies which come under the Act to provide a range of services in the official languages. These obligations can be differentiated into:

- direct obligations that pertain to every public body;
- regulations relating to signage, stationery and voice-recorded announcements;
- language schemes confirmed by the Minister for Culture, Heritage and Gaeltacht with public bodies.

There are also provisions in the Act that deal with the use of official languages in the Houses of the Oireachtas, acts of the Oireachtas, administration of justice and official placenames.

#### 4.4 Amended Act

It was announced for the first time in 2011 that the Official Languages Act would be revised. Since then, headings for a new Bill were published in 2014 and again in 2017. The Official Languages (Amendment) Bill was published in December 2019. The publishing of the Bill is an important step and the Oireachtas will have the opportunity to analyse it and make suitable recommendations where they see fit.



In the last few years, An Coimisinéir Teanga has made three main recommendations with regards to the required amendments to the Act:

- a language standard system in place of the language scheme system;
- definite arrangements to increase the number of Irish-speaking workers in the public service;
- that a comprehensive range of State services be available through Irish in the Gaeltacht.

He also recommended that other amendments be made such as an individual's right to use the Irish form of their name and address in dealings with the State. Along with that, there is an opportunity to broaden the functions of An Coimisinéir Teanga so that, among other matters, monitoring could take place of provisions in other enactments that relate to the use and status of the official languages.

An account is given on the shortcomings of the current Act in the commentaries issued on the enforcement of the Act: <https://www.coimisineir.ie/trachtaireacht?lang=EN>

In light of the publishing of the new Bill, An Coimisinéir Teanga issued the following press release, giving his outlook on the matter:

[https://www.coimisineir.ie/userfiles/files/Press%20Release%20-%20Official%20Languages%20\(Amendment\)%20Bill.pdf](https://www.coimisineir.ie/userfiles/files/Press%20Release%20-%20Official%20Languages%20(Amendment)%20Bill.pdf)

#### **4.5 Ability to provide Services**

To ensure that a satisfactory range of services can be provided through Irish, it stands to reason, evidently, that there must be sufficient staff with the ability to speak Irish working in various public bodies. That much is recognised in the Official Languages Act and also in the 20-Year Strategy for the Irish language, in which reference is made to the requirement that positions with Irish language requirements be recognised in the language schemes. Within the State sector there are public bodies that focus on providing services directly to the public and others that focus more on developing policy.

An investigation<sup>2</sup> carried out by this Office in 2018 elucidated that there were only 550 people out of 21,000 government department employees recognised as staff competent in Irish. This accounts for under 3% of the government department staff examined.

Until this basic requirement is met it is difficult to be confident that a wide range of public services can be provided through Irish, and at the same standard as those available in English.

#### **4.6 International Network**

An Coimisinéir Teanga functions as an Ombudsman with responsibilities regarding language matters in other jurisdictions all over the world. This Office is an active member of the International Association of Language Commissioners which was founded in Ireland in 2013. This network provides an opportunity for Language Commissioners, and the officers that work alongside them, to gain insights into the approaches used in other jurisdictions.

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<sup>2</sup> Monitoring Report 2018 –

[https://www.coimisineir.ie/userfiles/files/Tuascail\\_Faireachain\\_2018.pdf](https://www.coimisineir.ie/userfiles/files/Tuascail_Faireachain_2018.pdf)

## Strengths

<b><i>Clear focus</i></b>	The role of the Office of An Coimisinéir Teanga is clearly defined in legislation. This allows us to focus exclusively on the statutory functions which have been assigned to us.
<b><i>Statutory authority</i></b>	The statutory authority given by the Oireachtas to the Office of An Coimisinéir Teanga allows us to approach our work with certainty. It means that where it is necessary to ensure compliance with provisions of language legislation, we can make full use of that statutory authority. Notwithstanding this fact, our <i>modus operandi</i> in the first instance is to work in partnership and cooperation with our stakeholders.
<b><i>Dedicated staff</i></b>	While the staff resources available to the Office of An Coimisinéir Teanga are severely limited, the Office is privileged to have dedicated members of staff who are flexible, adaptable and committed to achieving results. With the additional obligations arising from the amendments to the Bill, recruitment of additional staff to the Office would be essential.
<b><i>Language community</i></b>	Ireland has an Irish language community which includes individuals and networks of Irish speakers throughout the country as well as Gaeltacht communities where Irish has remained the dominant community language for 2,000 years. Whilst acknowledging the linguist pressure on Gaeltacht areas, their continued existence is a recognised strength.
<b><i>Goodwill</i></b>	Within the public sector in Ireland there are many who are committed to equality, including the rights of Irish speakers to choose to use their national language. This goodwill is a significant strength.

## Challenges

<b><i>Review of the Act</i></b>	The challenge is to adapt the Act to its function, which is to guarantee the rights of the Irish-speaking community to avail of high-quality public services in their native language.
<b><i>Confidence of the Irish language community</i></b>	There is a risk that the Irish-speaking community will lose confidence in the public service's ability to accommodate them through Irish, especially if there is not an adequate statutory basis in place to assure that much. The commentary, carried out in 2017 on the language schemes system, showed that schemes, with very little substance, are being ratified and this must be addressed.
<b><i>Vulnerability of the Gaeltacht</i></b>	The latest research, along with the results of the 2016 census, attest the vulnerability of the Irish language in the Gaeltacht. While many people are likely to continue speaking Irish, a critical mass or threshold is required for its survival as a community language. The prevention of any further decline in the use of the Irish language and the halting of any further erosion of Gaeltacht communities is a particularly challenging enterprise.
<b><i>Sufficient resources</i></b>	Although increased resources have been allocated to the Office in the last few years, it is still one of the smallest State Offices in the country. To ensure that the Office can execute its functions, sufficient resources must be made available to it.

## **5. HIGH-LEVEL GOALS**

### **Goal 1**

#### **To fulfil the functions of the Office at a high standard**

- We will enforce a clear work practice to ensure that members of the public, public bodies and other stakeholders are accommodated in an effective and efficient manner.
- Emphasis will be placed on trained and well-informed staff working in the Office, who possess a clear understanding of the statutory language obligations that public bodies must fulfil.
- To ensure efficient running of the Office, positive work practices, codes of practice and regulation formalities will be adhered to.
- We will be aware of the requirement that accurate information be provided within a reasonable period of time and in accordance with our Customer Charter.

### **Goal 2**

#### **To protect, as appropriate, the language rights of Irish speakers**

- We will achieve this through the provision of an impartial ombudsman service to investigate complaints of breaches of language rights.
- We will, wherever possible, attempt to resolve complaints by the use of an informal complaint resolution mechanism as an alternative first option to formal investigations.
- Where formal investigations are required, we will conduct them in a balanced, independent, fair and impartial manner and in accordance with the legislative framework.
- We will endeavour to ensure that the resolution of complaints will, whenever appropriate, lead to systematic improvements which minimise the possibility of the reoccurrence of further similar complaints.

### **Goal 3**

#### **To play an active role in efforts to supplement the amount and the standard of public services available through Irish**

- We will advise public bodies on the ways in which they can provide services to the public through Irish and we will inform them on the best practices to follow.
- We will inform the Department and other relevant stakeholders regarding any action that we believe could assist in supplementing the amount and standard of public services through Irish.
- We will work alongside public bodies to assist them in executing the commitments made in their statutory language schemes.
- We will share our experience and expertise regarding the functioning of the Act, or any part of it, in commentary form or other.

### **Goal 4**

#### **To protect the statutory independence of the Office of An Coimisinéir Teanga notwithstanding our promotion of partnerships and cooperation with public bodies, individual Irish speakers and their representative organisations in the Gaeltacht and throughout the country.**

- We will ensure that we do not compromise the statutory independence of the Office whilst forging valuable relationships with stakeholders.
- We will seek to increase goodwill towards the Irish language and its speakers within the public sector by working in partnership to raise awareness of individuals' rights to use their official language of choice.
- We will seek to increase the understanding of Irish speakers of the challenges posed to public bodies in providing services through Irish and to explain how those challenges are being addressed.

## 6. IMPLEMENTATION

The implementation of the goals set out in this Statement of Strategy will ensure compliance with the statutory mandate of the Office of An Coimisinéir Teanga.

It is both necessary and desirable to advance all four goals simultaneously because of the statutory nature of the Office.

Our annual Business Plan sets out the implementation of this Strategy through quantitative and qualitative key performance indicators.

Successful implementation of this Strategy depends on external factors including the provision of adequate resources – staffing and funding in particular.

The Office of An Coimisinéir Teanga is funded by the Oireachtas through the annual vote of the Department of Culture, Heritage and the Gaeltacht.

Successful implementation of the Strategy also hinges on the development of cooperation and strategic partnerships across a wide range of public bodies as well as Irish language organisations in the Gaeltacht and throughout the country. The Office also looks forwards to developing those partnerships during the implementation of this Statement of Strategy.

## 7. MONITORING and REVIEW

This Statement of Strategy will be kept under review in light of changing circumstances in the Office.

It may be amended as appropriate in light of feedback from our stakeholders.

This Statement is published on our website [www.coimisineir.ie](http://www.coimisineir.ie)  
Print copies, including large print versions, are available on request.

This publication is provided simultaneously in each of the official languages, Irish and English.

## 8. CONTACT DETAILS

The Office of An Coimisinéir Teanga can be contacted as follows:

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